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THE
Compleat Sportsman.

IN THREE PARTS.

PART I. Containing the Nature and various Kinds of GAME, under their several Denominations, with the best Methods of taking the same, by Shooting, Hunting, Dogs, Nets, and otherwise; and the LAWS and Statutes made for Preservation of the Game, with Warrants to empower Game-keepers, &c.

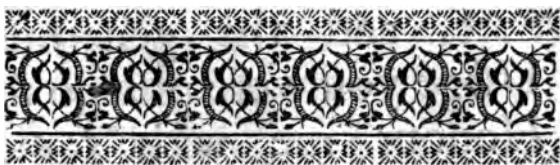
PART II. Of the best Situations and Methods of erecting and Management of PARKS, Warrens, &c. Of Hunting the Buck, Doe, &c. And a concise Abridgment of the FOREST-LAWS, and of all the Laws and Statutes relating to Deer: Methodically interspersed with Precedents of Warrants for Deer, &c.

PART III. Of FISH and Fishing; the most successful Methods of Angling; the only proper Baits, Tackle and agreeable Seasons for taking all Sorts of Fish; and the Rivers wherein they are to be found; with the STATUTES relating to Fishing, &c.

In the S A V O R, *

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T O

*Sir Charles Keymis,
of Keven-mabley in
the County of Gla-
morgan, Bar^t.*

S I R,



H E very great
Variety of rural
Pleasures, cen-
tering in the
Neighbourhood of your
beautiful and magnificent
A 2 Seat.

The Dedication.

Seat, and the generous
Usage you were pleased to
Honour me with some
Years since, when I was
at *Keven-mabley*, embolden
me in the Dedication of
this small Performance to
you.

Though it be usual in
Addresses of this Kind, I
shall not descend to any
Particulars on the personal
Merit, Virtues, and Qua-
lifications wherewith you
are endow'd, and which are
highly conspicuous ; I am
sure of your Pardon with-
out those Encomiums ,
which

The Dedication.

which otherwise thro' your singular Modesty might be doubtful? But I cannot omit observing, that your Hospitality is no less admired, than your prudent Oeconomy, and your Benevolence sufficiently acknowledged by the necessitous Part of Mankind.

When I had the Honour to be last at your House, amidst the most indearing Accommodations; it was the greatest Satisfaction to me imaginable to accompany you in your hunting Diversions, which

A 3 you



194



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The Dedication.

Compass, and the Laws relating to the Game regularly interspersed, will render it some small Addition to your Entertainment in a Parliamentary Recess.

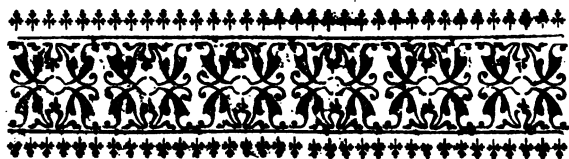
I beg your Pardon for my Presumption, and am,

S I R,

Your most humble Servant,

Giles Jacob.

T H E



THE
PREFACE.



THE Advantages of a Country-Life are so universally known, that I have no Necessity of enlarging upon that Subject; and as the Diversion of Hunting, and other Exercises belonging to Game, make up the greatest Pleasure attending a Retirement in the Country; so it is the greatest Satisfaction to me, that I have now an
Oppor.

The PREFACE.

Opportunity of introducing a Treatise on that Head.

I doubt not but the Reader will do me the Justice to confess, that this Book is the compleatest on the Subject; and that it takes in not only the several Particulars necessary for the Information of young Gentlemen, Strangers to a Country Life, but also many useful Things intirely unknown to the experienced Country Gentleman, will be easily discovered: And besides the Additions and Improvements, this Performance will prove the best and cheapest Remembrancer of what the Sportsman may have a Notion of, he can any Ways purchase.

If my Experience in the Business I have handled, be not so extensive as the active Gentleman, who hath spent an Age in the Country, (not but it must be allowed to be tolerable,

The PREFACE.

nable, when it is considered, that I was intrusted with the Care and Preservation of the Game, of very considerable Estates for seven Years together successively,) I have supplied the same with Observations of Gentlemen intirely accomplished in the Affairs of Game and other rural Pleasures, and of experienced Game-keepers, to make this Work as compleat as is possible: To these valuable Informations, I have added a concise Abridgment of the Laws and Statutes relating to all Sorts of Game, &c. to this very Time.

If during the Bustles and Confusions in the World, I can entertain the Man of Fortune in Retirement, with an innocent Country Diversion, which greatly contributes to the Preservation of Health, (the most consummate Happiness we
2 *have*

The PREFACE.

have on Earth,) my Ends are answered: And I hope this Performance by the Method I have pursued, and the Care I have taken, (though I have confin'd the same to the narrowest Bounds,) will be received by all Gentlemen who spend any Part of their Time in the Country, with the Candour natural in Country Gentlemen.



THE



THE
Compleat Sportsman.

PART I.

Containing the Nature and various Kinds of GAME, under their several Denominations: With the best Methods of Taking the same, by Shooting, Hunting, Dogs, Nets, and otherwise; and the Laws and Statutes made for Preservation of the GAME; with Warrants to Impower Game-Keepers, &c.



GAME is defin'd in general to be Prey, got either by Hunting or Fowling; and consists of Hare, Pheasants, Partridges, Moor, Heath-Game, and Growse. Then there are other Birds frequently taken by the Fowler at certain Seasons, that are no less valuable than Game, such as Rails, Quails, Plover, Woodcocks, Snipes, Wood-pigeons, Fieldfares, Larks, &c. and a numerous Variety of Water-Fowl.

As the Gun and the Dog are the two Materials to be first prepar'd, before the Sportsman can
B come

2 *The Compleat Sportsman.*

commence his Rural Diversions, I shall early communicate some Observations relating to the Election of the former, and the Breeding up and Management of the latter.

In ancient Times, the best Fowling-piece was thought to be that which had the longest Barrel; and a Barrel to a Gun five Foot and a half, or six Foot in length, was esteem'd a moderate Size: But of late these long Guns are entirely disused, unless it be in the killing of Water-Fowl. And a Piece of about three Foot and a half long in the Barrel, by a more perfect Mixture of the Metal, and skilful Boring, will do more Execution in the Pursuit of Land-Fowl, than your long Guns; and no Body is unsensible that it is less Labour and Fatigue to the Bearer.

Many Persons, who are unacquainted with the Diversion of Fowling, are for making choice of the lightest Piece for their Purpose. But, I take it, I have no reason to caution the labouring Sportsman in this Particular; the Hazard he runs in the bursting of the Gun, and the Nicety he is obliged to observe in his Charges, even sometimes to the Loss of his Game, will sufficiently discourage him from the Election of such a Piece.

And I need not inform the Sportsman, that his Gun for shooting Flying ought to be of a wide Bore, a small Matter under a Musquet.

In the Choice of your Powder, let
Powder and shot. it be by no means old; for Age, especially if it be kept in a damp Place,

very much impairs its Strength. And for the Prevention of the pernicious Effects of Damps, it is necessary that the Powder be sometimes dried by the Fire in a Paper, or otherwise, and that the same be sifted through a fine Sieve, to separate from it the Dust; which not only detri-
ments

The Compleat Sportsman. 3

ments the Efficacy of the Powder, but also fouls your Piece at the same Time.

Powder being of an Azure Colour, somewhat inclining to Red, is a Sign of its being good Powder; if it be very black, it is either over-moist, or has too much Charcoal in it. And you may know Powder by touching: For if it easily crushes into Dust, it has too great a Quantity of Coal; but if it feels hard, it is a certain Sign of its Goodness, and this Powder may be depended upon.

Let your Shot be of a moderate Size; for when Shot are either over-large or small, you find an ill Consequence attending; as, if it be too great, then you'll find it scatter too much; and if it be too small, you will meet with Disappointment when you fire at large Fowl: Though small Shot is always used when you shoot Flying.

Having provided your Fowling-Piece, Powder, and Shot, with the several Instruments and Conveniences necessary for the same, and you are abroad within Sight of Game, carry your Piece always cock'd, and observe to chuse your Station in a Place of Shelter, as much as you can, to conceal you from the penetrating Sight of the Birds, which is very extraordinary for their Preservation; and if you have not Shelter enough, by reason of the Nakedness of the Banks, and want of Trees, you will be oblig'd to creep upon your Hands, and sometimes to lye flat upon your Belly, and so take your Aim. And in Shooting, take care to shoot with the Wind, if possible; and rather side ways, or behind the Fowl, than to meet them.

The true Level on the Ground or Water, is to have the Sight of the Piece equal with the Head of the Fowl; and you must keep your open Eye so steady, and the But-end so fast to your Shoulder.

4 *The Compleat Sportsman.*

der, that when the Gun is discharg'd, it may remain perfectly unmov'd; and by this means you'll see your Sport drop at the End of your Piece.

If you shoot into a Flock of Fowl, it is best to take them on the Wing, just rising: And if any escape a Shot on the Ground, then you are at the greatest Certainty in levelling three Yards from the Ground, a little inclining the Muzzle of your Piece to that Way which their Heads stand: But you must in this Case fire as soon as he on the Ground hath pulled his Tricker, and the Pan of his Piece flashed.

When you shoot at a Flock of Birds on the Ground, level your Piece at the Centre or Middle of the Flock, and let the particular Bird you aim at be hid with the Muzzle of the Piece. And if you shoot Flying at a Flock, meet them if you can, and raise the Muzzle of your Piece slanting, or rising by Degrees upwards, that you may take the undermost, and shoot slantwise through them; so that the Shot that goes free, may fly higher than the Rear of the Birds.

If you shoot at Fieldfares, Thrushes, Lapwings, &c. that run on the Ground, you are to take notice which way they bend their Course; and when they have gather'd from their Spreading, fire with a level Aim at the highest Part of those foremost, that are next to you, and the others running on will fall in with the Shot. And when you shoot at Birds on the Wing a considerable Distance from you, and your Station is such that you are to level your Piece sideways, raise your Piece so that it may be equal with their Flight: And if the Birds be out of reach, fire as at a Mark about six Yards before, and then the Shot will take them as they are passing; for if you aim directly at the Bird sideways, it will

The Compleat Sportsman. 5

will be past away before the Shot can reach her.

If Game fly over your Head, it is best to aim at their Heads; and if they fly from you, it is best to aim as it were under their Bellies. And in all Cases of shooting flying, it is the surest Method to let the Game fly a little past you before you shoot; there being many a good Shot lost by an over-hasty Discharge of the Piece.

In Shooting, let your Dog be under good Command, at your Heels, not daring to stir 'till you bid him, and having then first discharg'd your Piece: For otherwise an ill taught Dog will, upon the Snap of the Cock only, without firing, rush out, and spoil your Expectations:

In respect to your Choice of Dogs for Sport; if it be a Water-Dog, chuse Dogs. him of Hair long and curled, but not loose and shaggy; his Head ought to be round and curled, his Ears broad and hanging, his Eye full, lively and quick, his Nose very short, his Lip like to that of a Hound, his Chaps furnish'd with a full Set of strong Teeth, his Neck thick and short, his Breast sharp, his Shoulders broad, his Fore-legs straight, his Chine square, his Buttocks round, his Belly gaunt, his Thighs brawny, &c.

The Whelps of these Dogs cannot be too early taught to couch, and lye down; for the easy teaching whereof, let them have no more Correctors than one. You must then teach your Dog to fetch and carry; and being perfect therein, teach him by Degrees to go back and fetch any Thing privately drop'd, and to carry dead Fowl. In the next Place, enure him to an orderly Leading in a String or Collar. And after this, you are to teach him to come close to your Heels without leading; and to train him up for your Gun so

6 *The Compleat Sportsman.*

as to make him stalk after you Step by Step, or else couch and lye close 'till you have shot.

Your Setting-Dog you may chuse either a Land-Spaniel, Water-Spaniel, or Mungrel of them both, the Lurcher, or small Bastard Mastiff; but the Land-Spaniel is preferable to any other. Let him be of a good Size, not over-large for Activity, and rather small than large, being of a courageous Temper. If you chuse a Whelp, let it be from a strong, lusty, and nimble Ranger, of active Feet, wanton Tail, and busy Nostrils.

When the Whelp is about four Months old, commence your Instructions, wherein the first Thing you are to teach him is Familiarity, to love you, and know you from any other Person; and the better to effect this, let him receive his Food from no other Hand but your own.

When the Dog is so taught that he knows your Frown from your Smile, and smooth Words of Command from rough ones, you are in the next Place to teach him to couch and lye down close to the Ground; and when he hath done any Thing to your Satisfaction, bestow upon him a small Feed; and if otherwise, chastise him with Words, but use Blows as seldom as you can.

Then you are to teach him to come creeping unto you upon his Belly, with both Belly and Head close upon the Ground: Wherein you are to observe in his creeping to you, whether he raises his Body or Head; and if he does, you are to thrust the rising Part down, and to threaten him with an angry Voice; which if he seems to disregard, then you are to discipline him with a sharp Jerk of a Whipcord.

His Lessons cannot be too often renew'd, 'till he comes to Perfection: And if when you are abroad with him, he takes a Fancy to range,
when

The Compleat Sportsman. 7

when he is most busy; and in the Height of his Pastime, speak to him, and make him lye close, and after that make him come creeping to you, so that you may have him under an absolute Command.

After your Dog is taught the several Things before recommended, teach him to lead in a String: And by this Time the Dog may be a Twelve-month old, when, at a fit Season of the Year, take him into the Field, and permit him to range under due Command. As soon as you see him come upon the Haunt of any Partridge, (which you may know as well by his greater Eagerness in hunting, as by a kind of Whimpering and Whining in his Voice, being strongly inclin'd to open, but not daring,) you are to speak to him, bidding him take heed, or the like: And if notwithstanding he rushes in, and springs the Partridge, or opens, and so the Partridge escape, you are then to correct him severely, and to cast him off again, and let him hunt in some Haunt where you know a Covy of Birds lye, to observe whether he has amended his Fault.

And if you catch any Birds, give him the Heads, Necks, and Pinions, for his Encouragement.

There is not any Creature irrational more loving to his Master, nor more serviceable, than a Dog, enduring Blows from his Hands, (especially the Spaniel,) and using no other Means to pacify his Displeasure than Humiliation and Prostration, which, after beating, turneth a Revenge into a more ardent Love.

When the Sportsman is furnish'd with a Gun for his Purpose, and Powder and Shot as before recommended, and also with a Dog that may be depended upon, the next Thing he is to be acquainted with is the Haunts of Fowl.

8 *The Compleat Sportsman.*

Haunts of Fowl. The larger Sorts of Fowl, which divide the Foot, are generally to be found on the Edge of shallow Rivers, Brooks, and Plashees of Water: They likewise delight in low and boggy Places, the dry Parts of drowned Fens which are over-grown with tall Rushes, Reeds, and Sedge; and in half drowned Moors, or the hollow Vales of Downs, Heaths, or Plains shelter'd either with Hedges, Hills, Tufts of Bushes or Trees; where they may lurk obscurely, and may be found in great Plenty. And these make not their Appearance in Flocks, but you see here one single, there a Couple, and the like.

The lesser Fowl, which are Web-footed, continually haunt drowned Fens, where they have a constant Supply of Water, and may swim undisturb'd. They likewise haunt in the main Streams of Rivers, where the Current is swiftest, and least subject to freeze; and the broader and deeper such Rivers are, the greater Plenty of Fowl is to be found, the Wild Goose excepted, which frequents no Waters above its Sounding. And as these Fowl delight extreamly in green Corn, so they are to be met with where such Grain is sown near Plenty of Water.

These Fowl likewise delight in small Rivers, Brooks, Ponds, drowned Meadows, Moors, Meres, Plashees, and Lakes, especially if they are well stor'd with unfrequented Islands, and well furnish'd with Shrubs, Bushes, Reeds, &c. when they will constantly haunt there, and breed at all Times in the Year.

I need offer no farther Instructions to the Country Gentleman in pursuit of his Sport with the Gun and Spaniel; Labour and Observation only must make him compleat. But I shall here pre-
sent

The Compleat Sportsman. 9

sent him with the several Laws and Statutes relating to Guns, Dogs, &c. whereby he'll be inform'd of his own Capacity to kill Game, and the Incapacity of others. So that he may be enabled not only to pursue his Diversions with Cheerfulness and Satisfaction, but also to suppress Pochers, and other unlawful Destroyers of the same.

I shall begin with the ancient Statutes: By *Stat. 33 Hen. 8. cap. 6.* it is enacted, That no Person shall shoot in, or keep in his House any Cross-Bow, Hand-Gun, Hackbut, or Demihake, who hath not Lands of 100 *l. per Ann.*

Laws and Statutes relating to Guns, Dogs, &c.

under Pain of 10 *l.* except the Followers of Lords Spiritual or Temporal, Knights, Esquires, Gentlemen, Inhabitants of Cities, Boroughs, or Market-Towns, who were allow'd by this Act to keep in their Houses Hand-Guns of a Yard in Length, and Demihakes of three Quarters; but not to shoot in such at dead Marks only. And the Owners of Ships, or Persons dwelling two Furlongs from a Town, or within five Miles of the Sea-coast, &c. may also keep such Guns: And these last may shoot at any Wild Beast or Fowl, except Deer, Heron, Shovelard, Pheasant, Partridge, Wild Swan, &c. And he that hath Lands, &c. of 100 *l. per Ann.* may seize Cross-Bows and Hand-Guns of Persons not qualified, and break them.

None under the Degree of a Baron shall shoot in any Hand-Gun within a City or Town at any Fowl whatsoever, or with any Hail shot, on Pain of 10 *l.* and three Months Imprisonment. *Stat. 2 & 3 Edw. 6. cap. 14.*

By *Stat. 3 Jac. 1. cap. 13.* No Person not having 40 *l. per Ann.* in Lands, or 200 *l.* in Goods,

70 *The Compleat Sportsman.*

or some Inclosed Grounds for Deer or Coneys worth 40*s. per Ann.* shall use Gun, Bow, or Cross-Bow, to kill Deer or Coneys, nor keep Buckstale, Ferret, Dog, Net, or other Engine. And any Person having Land worth 100 *l. per Ann.* may seize such Gun, &c. and keep the same for his own Use.

By *Stat. 7 Jac. c. 11.* Shooting at Duck, Growse, Heron, Heathcock, Mallard, Pheasant, Partridge, Teal, Widgeons, Pigeons, &c. incurs a Penalty of 20*s.* for every Pigeon kill'd, or the Offender shall be committed for three Months.

The Statute of 22 & 23 *Car. 2.* enacts, That Persons not having Lands, or some other Estate of Inheritance in their own or Wife's Right, of 100*l. per Ann.* or for Life or Lease of 99 Years of 150*l. per Ann.* (other than the Son and Heir of an Esquire, or other Person of higher Degree, or Owners and Keepers of Forests, Chases, Parks, or Warrens,) shall not be allow'd to keep Guns, Greyhounds, &c.

And by this Act Lords of Manors, or other Royalties, not under the Degree of an Esquire, may, by Writing under Hand and Seal, authorize one or more Game-keepers, to seize Guns, Bows, Greyhounds, Setting-Dogs, Lurchers, or other Dogs to kill Hares or Coneys; Ferrets, Trampels, Low-Bells, Hays, or other Nets, Hare-pipes, Snares, or other Engines for taking Coneys, Hares, Pheasants, Partridges, or other Game, used within such Manors by Persons prohibited by this Act to use the same. And such Game-keepers, or others, by Warrant from one Justice, may search the Houses of Persons suspected to keep Guns, &c. and seize them for the Use of the Lord of the Manor, &c.

I am now come to the Laws relating to Dogs: And First, The *Stat. 13 Rich. 2.* enacts, That no Layman not having Land of 40*s. per Ann.* nor Clerk not having 10*l. per Ann.* Revenue, shall have or keep any Greyhound, Hound, Dog, Ferret, Net, or Engine, to destroy Deer, Hares, Conneys, or any other Gentleman's Game, under the Penalty of one Year's Imprisonment. And none shall hunt with Spaniels in standing Corn: Pain of 40*s.* *Stat. 23 Eliz. c. 10.*

There are four Kinds of Dogs which the Law regards, *viz.* a Mastiff, a Hound, (which comprehends a Greyhound,) a Spaniel, and a Tumbler.

By *Stat. 1 Jac. 1. c. 27.* the Persons qualified to keep Greyhounds, Setting-Dogs, or Nets, to take Deer, Hare, Pheasant, or Partridge, are declared to be such as have Inheritance of 10*l. per Ann.* Lease for Life of 30*l. per Ann.* or as are worth 200*l.* in personal Estate, the Sons of a Baron or Knight, or Heir apparent of an Esquire. And every other Person convicted by Confession, or the Oaths of two Witnesses before two Justices, of keeping such Greyhounds, &c. shall suffer three Months Imprisonment, unless he pay 40*s.* to the Use of the Poor.

By *Stat. 4 & 5 W. & M.* Constables, &c. may by a Justice's Warrant search the Houses of suspected Persons: And if they find any Game-Dogs in the Possession of Persons not qualified, they must carry them before a Justice of Peace; and if they do not give a good Account how they came by such Dogs, they shall pay not under 5*s.* nor exceeding 20*s.* for every Dog, &c.

And the Statute of *5 Anne.* enacts, That if any Person, not qualified by Law, shall keep or use any Greyhounds, Setting-Dogs, Lurchers, Tumblers, or any other Engine, to kill and destroy the

the Game, he shall forfeit *5 l.* half to the Informer, and half to the Poor of the Parish where the Offence was committed, to be levied by Distresses; and for want of a Distress, the Offender to be sent to the House of Correction for three Months.

In an Indictment for shooting of *Law Cases.* Game, upon an Omission of shewing that the Party was not worth *100 l. per Ann.* it was order'd to be shewed on the other Side that he is worth so much to discharge him. The King against *Woolf*, *2. Keb. 582.*

On a Conviction for keeping of Guns without a legal Qualification, the Offender may not be punish'd by Justices of Peace, for they have no Cognizance of the Matter since the Peace is no ways concern'd; but the Party may be indicted for this Offence before the Justices of *Oyer & Terminer*, though not before the Justices in their Sessions, for want of Jurisdiction. King against *Allop*, *4. Mod. 49.*

Action on the Case lyes on a Promise to deliver a Lurcher fold. *1. Keb. 680.* And Trover and Conversion lyes of a Spaniel-Dog, refus'd to be deliver'd when reclaim'd. *Pells and Lemon, Hobart 363.*

Trespas lyes for a Greyhound: And Plea by the Defendant that the Dog was courting the Hare in his Land, is frivolous. *Cro. Jac. 463.* But Plaintiff, in an Action on the Case, declared that he was possessed of a Greyhound *ut de bonis suis propriis*, and that such a Day he lost it, and that it came to the Hands of the Defendant by Trover; and that the Defendant afterwards, in Consideration thereof, promis'd to deliver the said Greyhound to the Plaintiff. *Per Cur'*, The Action doth not lie; because *Fera Natura*, of which
Sort.

The Compleat Sportfman. 19

Sort of Beast the Plaintiff hath not Property; but it will lie *Ratione fundi.* 3 Leon. 219. Ireland and Higgins.



The Best Ways in general of Taking large and small Fowl with Nets, Snares, &c.

I Now proceed to some Observations relating to Nets, and the Taking of Birds in general, before I come to the particular Management in Taking the various Kinds of Fowl.

And the first Thing to be taken care of is the Making your Nets; which must be of the best Packthread, and have, for large Fowl, Meshes at least two Inches from Point to Point: For the larger the Meshes are, so that the Fowl cannot creep through them, the more certainly will the Nets entangle your Game.

The Dimensions of your Net ought not to exceed two Fathom in Depth, and six in Length, which is the largest Quantity a Man is able to manage. And let your Net be verged on the Sides with strong Cord, extended at each End upon Poles made for that Purpose.

When you lay your Net, you must spread it smooth upon the Ground, staking the two lower Ends firm thereon; let the upper Ends stand extended upon the long Cord, the farther End thereof being staked fast down to the Earth two or three Fathom from the Net; and let the Stake which confines down the Cord stand in a direct Line with the lower Verge of the Net, the Distance

14. *The Compleat Sportsman.*

stance still observed. Then the other End of the Cord, which must be at least ten or twelve Fathom long, the Fowler is to hold in his Hand at the utmost Distance, where he ought to make some artificial Shelter to conceal himself from the Sight of the Fowl. And it is likewise convenient to strow over your Net, as it lies upon the Ground, a small Quantity of Grass, to hide that likewise from the Birds.

Land-Fowl of several Sorts together may be taken either by Day or Night. And herein you are to observe the Morning and Evening Haunts of Fowl for Feeding, and consider that after the Sun is an Hour high in the Morning, and on the Approach of Twilight at Night, their Feeding is over.

If you pursue your Sport by Day,
Day-Nets. it is done with the great Net, commonly called the Crow-Net. This Net you may lay before Barn-Doors, or where Corn hath been winnowed, also in Stubble Fields, concealing the Net so that the Fowl may not discern the Snare. And when you perceive a Quantity of Birds within the Compass of the Net scraping for Food, being concealed with the Cord in your Hand, you are to pull the Net over them as quick as is possible; for the least Deliberation after the Net is raised, will disappoint you in your expected Sport.

The Day-Net is generally used for the taking of Larks, or other small Birds which fly in the Air; and such will drop either to Stale, Glass, &c. Though it may be sometimes necessary to bait the Place with the Foods the Birds most delight in.

The Mesh of these Nets ought not to be above half an Inch square; the Length to be about
three

three Fathom, and the Breadth not to exceed one Fathom. And these Nets being staked down, at the upper End of the foremost Staves you are to fasten Hand-Lines, or Drawing-Cords, which must be at least a Dozen, a Fathom long.

When your Nets are laid early in the Morning, some twenty or thirty Paces beyond them place your Decoys upon some pearching Boughs. And out of the first Birds you take, reserve half a Dozen alive for Stales; and for that Purpose you ought to provide a Cage, or other Convenience.

The Season for these Nets is from *August* to *November*: And the Place you elect ought to be plain and champaign, either on Barly Stubbles, Green Lays, or flat Meadows, adjoining to Corn-Fields, and remote from any Village.

If you intend to take Fowl by *Night-Nets*. Night in a plain and champaign Country, you must use the Low-Bell from the latter End of *October* until *Lady-Day*, and to do it in the following Manner: The Day being shut in, and the Air mild, without Moon-shine, take a Low-Bell of a deep and hollow Sound, and with it a Net twenty Yards in Mesh every Way, and go into any Stubble Corn-Field, but Wheat is the best. The Bell is to be carried before, tolling dismally; afterwards follows the Net born up at each Corner, and on each Side by several Persons. Then another Person must carry some Iron or Stoney Vessel, which is to contain burning, but not blazing Coals, and at these you must light Bundles of Straw, or you may carry Links with you. And having pitch'd your Nets where you think the Game lies, beat the Ground, and make a Noise, and as the Fowl rise, they will be entangled in the Net.

When

26. *The Compleat Sportsman.*

When you have drawn your Net, extinguish your Lights, and proceed to laying your Net in some other Place; and you must be very silent, that nothing may be heard but the Sound of the Low-Bell 'till the Net is plac'd, and the Lights blazing. The Noise of the Bell makes the Birds lye close, so as they dare not stir whilst you are pitching the Net, and the Sight of the Fire is so terrible to them, that it makes them instantly take Wing, and so they are ensnared.

The Trammel is much like this Net for the Low-Bell; and with these Nets you may take good Store of Partridge, Rails, Larks, &c.

For the taking of small Water-Nets for Fowl, you are to pitch your Nets for the Evening Flight before Sun-set, staking them down on each Side of the River about half a Foot within the Water, the lower Side of the Net being so plumb'd, that it may sink to that Depth, and no further. Let the upper Side of the Net be plac'd slantwise, shoaling against the Water, yet not touching the same by near two Foot; and let the Strings which support this upper Side of the Net be fasten'd to a small yielding Twig or Pitcher, which, as the Fowl strikes, may give Liberty to the Net to run and entangle them. In this Manner place several Nets over different Parts of the River; and if any Fowl drop on the River that Night, you'll find a Share.

And for your better Success, take your Gun, and go to all the Fens and Plashes that are a good Distance from your Nets, and discharge it several Times; which will so affright the Fowl, that they will instantly betake themselves to the Rivers. Then plant your Nets upon these Fens and Places, and in the Morning, when you take up,
your

The Compleat Sportsman. 17

your Fowl in the River, discharge your Gun there likewise, to force them to your Snares in the Fens. By which Means you'll take them every Way.

There are several Laws relating to *Laws relating to Nets:* The *Stat. 23 Eliz. cap. 10.* enacts, That if any Person shall with Nets, or any other Engines, take and destroy Pheasants or Partridges in the Night-time, he shall be liable to the Penalty of 20*s.* for every Pheasant so taken, and 10*s.* for every Partridge. And if the Penalty be not paid within ten Days after the Offence committed, the Offender shall suffer one Month's Imprisonment without Bail, and enter into Bond, with good Sureties, before a Justice of Peace, not to offend in the same Kind for two Years. The Forfeiture to be divided between the Lord of the Manor and the Prosecutor: But if the Lord dispences with the Offender, the Poor of the Parish shall have his Moiety; to be recovered by any of the Churchwardens.

Persons of mean Condition using Nets or Setting-Dogs to destroy Pheasants or Partridges, on Conviction before two Justices, shall be committed to the Common Gaol for three Months, without Bail, unless the Offender shall pay the Sum of 20*s.* for the Use of the Poor, for every Pheasant or Partridge he shall destroy, and also become bound in a Recognizance of 20*l.* Penalty not to offend for the future. *Stat. 7 Jac. 1. cap. 11.*

By the Statute of 4 *Geo. 5 W. & M.* Persons not qualified by Law keeping or using Hays, Nets, Lurchers, Setting-Dogs, Ferrets, Tunnels, Low-Bell, Hare-Pipes, or other Instruments, for the Destruction of Game, and not giving a good
Ac.

18 *The Compleat Sportsman.*

Account how they came by the same, being there-
of convicted before a Justice of Peace, shall for-
feit any Sum not exceeding 20 *l.* or under 5 *s.* one
half to the Informer, and the other half to the
Poor of the Parish where the Offence was com-
mitted, to be levied by Distress and Sale of Goods,
&c. And for want thereof to be committed to
the House of Correction for a Month.

And the *Stat. o Anne*, enacts, That if any Per-
son between the First Day of *July* and the First
of *September* yearly, (the Moulting Seasons) shall
drive and take any Wild Duck, Teal, Widgeon,
or other Water Fowl, with Hays, Tunnels, or
other Nets, in any of the Fens, Lakes, broad Wa-
ters, or other Places of Resort for Wild Fowl, the
Offender being convicted before a Justice of Peace
by the Oath of one or more credible Witnesses,
shall forfeit for every Wild Duck, &c. the Sum of
5 *s.* one Moiety to the Informer, and the other to the
Poor of the Parish, to be levied by Distress; and
for want of Distress, the Offender to be com-
mitted to the House of Correction, and kept at
hard Labour for any Time not exceeding a Month,
nor less than fourteen Days, and the Hays, &c.
seized to be immediately destroyed.



*How to take Pheasants, Partridges,
Rails, Quails, &c. with Nets,
Dogs, and otherwise.*

THE first Thing to be taken notice of, relating
to Pheasants, is their Haunts; wherein you
will observe that they delight in thick young
Coppice

Coppice Woods, that are large and shady, and unfrequented. In the Day-time you may find their Haunts by looking under the Trees, and upon the Boughs in the Night; and at certain Seasons you may know where to find them by the Crowing of the Cock Pheasant. If in the Breeding-time, you may find them by the Cock's calling early in the Morning, and late in the Evening. But the most certain Way of finding them out is to have a natural Pheasant Call, by being Master of their several Notes; as the Call to cluck the Young together, another to chide them when they straggle too far, a third to call them to Meat, a fourth to make them look out for Food themselves, and a fifth to call them together for Sporting. And the best Time for using these Calls is either in the Morning early, or the Evening just about Sun-setting, when the Notes must be to cluck them together to brood.

Being acquainted with your Notes, and how to apply them, and likewise the Haunts of your Game, you are to be in the next Place provided with a Net of double-twin'd Brown Thread, dyed either Blue or Green, the Meshes whereof about an Inch between Knot and Knot. Let the Length of it be about three Fathom, and the Breadth about seven Foot, verged on each Side with small, but strong Cord, with the Ends of the Net so contriv'd, that it may lie compass-wise and hollow.

After you are furnish'd with your Materials; repair to some obscure, dark, and solitary Situation, where the Underwood is of the greatest Strength, and hide your self; then begin to call low at first, and raising your Note by Degrees, so as not to over-strain it. If you are within hearing, you will be answer'd in a little Time.

And

20 *The Compleat Sportsman.*

And if you are answerd by a single Bird from a Distance, advance nearer in a creeping Posture as the Pheasant will do to you; and as you come nearer, lower your Note in Imitation of the Bird's; and when you see her on the Bough or Ground, and she is prying to find you, cease calling, spreading your Net privately at the same Time (without making the least Noise, and with the utmost Expedition) in the most convenient Place between you and the Fowl, and upon the lowest Bushes and Shrubs, fixing one End fast to the Ground, and the other End by a long Line held in your Hand; so that when it is the least strained, you may draw it close together. Then call again; and when you perceive her come just under your Net, rise on a sudden; whereupon she will flutter up, and be instantly entangled.

When you hear many Answers to your Call from several Quarters, alter not your Situation but continue in the same Place, and prepare your Nets, and spread them afresh as they come near you, one Pair of Nets on one Side, and another on the other Side; then lye close, and apply yourself to the Call as before directed.

To drive young Pheasants. In the Driving of young Pheasants, prepare your Instrument, called a *Driver*, of strong White Wands, or Osiers, set fast in a Handle, and twisted about in two or three Places with other Wands, making the Shape of the Instrument used in dressing of Cloth. And having found out an Eye of Pheasants, (taking the Wind with you), fix your Nets cross the little Pads and Tracks they have made, which you may easily discover, advancing as near as may be to some noted Haunts; then place your Nets hollow loose, and circular-wise, the nether Part thereof

+ being

The Compleat Sportsman. 21

being fasten'd to the Ground, and the upper Part lying hollow, and bending so that it may with Facility fall and entangle your Game when they rush into it.

This done, you are to go before to the Place where you made Discovery of the Haunt, and there with your Call you must call them together, if they are separated: Then with your Driver you must make a gentle Noise, raking upon the Boughs and Bushes round about you, (but concealing your self from the Sight of the Pheasants,) and as soon as the Pouts hear the Noise, they will immediately run from it a little Way; then give another Rake, at which they will repeat their Running. And by a Continuance of your raking leisurely, you may drive them before you like a Flock of Sheep.

If in driving the Pheasants you find any Surprise amongst them, so that there is Danger of their running into Holes, or of their taking Wing, (which you may perceive by their frightful Gazing about,) cease your Raking, and be silent 'till you observe by their Cluck and Peeping that they have recover'd their Fears; when you may proceed with Assurance of Success.

The Haunts of these Birds may be discover'd by their Dung, and the Barrenness or Beating of the Ground.

There is another Method of taking Pheasants or Partridges with Nets, which I shall briefly mention. When you perceive an Eye of Pheasants, or a Covey of Partridges haunt any Ground, go thither, and in some Part thereof, distant from any Hedge, Bush, or Gate, about forty or fifty Paecs, pitch up four Sticks, each a Foot long, in a Square, and scatter a small Quantity

Other Methods of taking of Pheasants, &c.

22 *The Compleat Sportsman.*

city of Barley or Wheat in the Midst; likewise scattering some loose Corns through the Ground, as a Train to entice the Game to the Heap in the Midst of the Sticks against the Morning; the next Day place a Furze-Bush to every one of the four Sticks; and if they eat the second Time (which may be discern'd by their Dung) notwithstanding the Furze-Bushes, then against their next coming cross some Lines of Packthread in Form of a Net; and if they then continue to come, you may be sure to take them by taking away the Sticks, Furze-Bushes, and Packthread, and pitching a square Net, standing sloap-wise, like a Penthouse, and supported by small Twigs in its stead. The best Time to wait their coming is at Day-break; and you are to lye conceal'd in a Bush or Shelter, to draw your Net when they are all busy eating the Bait.

The proper Season of using Pheasant-Nets is from the Beginning of *May* 'till the latter End of *October*.

In respect to Partridges, I shall
Partridges. begin with the Way of taking them by the Help of the Setting-Dog; there being no Method so noble and excellent as this.

Having a Dog qualified for your Purpose, take him abroad with you to such Places as are frequented by Partridges, and there cast him off, observing that he beats his Ground thoroughly, and without Confusion. When he is guilty of a Fault, you ought to call him in with a Hem, or check him by some peculiar Word deliver'd with a stern Air; whereby he will range with more Temper, often looking in his Master's Face for Directions.

When

The Compleat Sportsman. 23

When your Dog stops on a sudden, or stands still, you are to make in to him with the utmost Expedition, for he has then set the Partridge; and as you advance near him, command him to go on; but if he goes not, but lyes still, or stands shaking of his Tail, now and then looking back, you may be assured the Birds are near; so that you are not to urge him further, but to walk fast, casting a careless Eye straight before the Nose of the Dog, and you'll see in what Disposition the Covey lye.

The Covey so observ'd, you are to command your Dog to lye still, and draw forth your Net, and prick one End on the Ground, and spread your Net all open, and so cover as many of the Partridges as you can; which being done, make a Noise, and the Partridges will spring up, and be entangled.

The Partridge-Net is shap'd and proportion'd like to the Pheasant-Net, only the Meshes must be somewhat smaller; and some Sportsmen would have this Net to be made a little broader and longer, for catching a greater Quantity. And indeed, the Net for a Covey should be sixteen or eighteen Yards long, and about four or five Foot deep, unless it be in Pairing-time; and then it ought not to exceed eight or ten Yards in Length, and four Feet in Depth.

If you have no Setting-Dog, you must find out the Birds either by your Eye, by the Cock's Call, and the Hen's Answering, or by their Call imitated in Notes, which last (as in the Case of the Pheasant) is the best Way; and if they are near, you will be presently answer'd, and you may draw them to you with Pleasure.

When you have discover'd the Birds move off, and take a Circle round them; observe well the
Posture

24 *The Compleat Sportsman.*

Posture they lye in, but do it carelesly, and walk rather from than towards the Partridges, 'till you have trim'd your Nets; and got them ready; which done, you must draw in your Circumference less and less, 'till you come within the Length of your Net. Then pricking down a Stick about three Foot long, fasten one End of the Line of your Net, and make it fast in the Earth as you walk about; for you must be in continual Motion: Then letting the Net slip out of your Hands, spread it open as you go, and so carry it, and lay it all over the Partridges. And if they lie straggling, that one Net will not cover them, then you are to spread another Net; which being done, rush in upon them, and they'll fly up, and be ensnared.

For the Driving of Partridges, you are to provide an Engine in the Form of a Horse, the Outside whereof to be Canvas, and the Inside to be stuffed with Straw, or other light Matter. Your artificial Horse being got ready, you must repair with it and your Nets to the Haunts of Partridges, and having found out the Covey, and pitch'd your Nets below the Birds, you are to go above them with the Wind, and drive downwards, having your Face cover'd with something green or blue, and carrying the Engine before you; wherein you are to observe not to stalk them over-hastily, so as to raise them on their Wings, and they will then run naturally before you.

If they happen to run a contrary Way than to your Nets, you may cross them with your Engine, and easily confine them to the Track you desire. Your Nets must be pitch'd sloap-wise and hovering.

The

The Haunts of Partridges are very various; sometimes any Covert will serve them, and other times none at all. The Places they most affect are the Corn-Fields, especially whilst the Corn is growing. And they delight in Wheat-Stubble, when the Corn is cut, there being Grain left for their Feed, and a Covert for Shelter. They also love fresh and untrodden Barley-Stubble; and will lye in the Furrows unobserv'd. When the Stubble-Fields are ploughed up, or over-soiled with Cattle in the Winter, Partridges resort into the upland Meadows, and lodge either in the dead Grass, or under Hedges. Sometimes they are in Coppices and Underwoods, where Corn-Fields are adjoining: And about the Harvest-season you'll find them in the Day-time in the Fallow-Fields adjacent to Corn-Lands; and in the Evening they feed among the Sheeves of Corn. The best Time of finding these Birds by the Eye in their Haunts, is either in the Morning early, or at the Close of the Evening, when the Cock-Partridge will call aloud, and the Hen will answer; by which Means your Ear will direct you to them. And you may come near enough to have a Sight of them; for they are naturally a very lazy Bird, and unwilling to take Wing.

The Haunts of the Rail and Quail are much like those of the Partridge; *Rails,* only the Quail loves at all Times the *Quails,* Wheat-Fields, and the Rail delights in *&c.* long high Grass.

They may be found likewise in the same Manner as the Partridge, by the Eye, the Ear, or the Call; to which last they listen with such Earnestness, that you can no sooner imitate their Notes, but they will answer them, and pursue the Call with the greatest Eagerness.

26 *The Compleat Sportsman.*

The Notes of the Male and Female being very different, you are to be Master of both; and when you hear the Male call, you must answer in the Female's Note; and when the Female calls, you are to answer in the Note of the Male: And by this Means they'll not only run to you, but gaze and listen 'till you have encompass'd them with your Net.

These Birds are to be taken the same Way as the Partridge; but if you drive them, it is a very good Method to have some Cages of live Quails, to call the others to them as you drive; for these run more heady than Partridges: And to make them, when they advance near the Net, gather in a Body, strow Millet, or some Seeds, which increasing, will sufficiently invite them to go on; or you may drive them by one going on one Side, and another Person on the other, shaking little Collars of Bells, but not making too great a Noise, lest the Birds should take Wing. And by this Means you'll easily ensnare them.

The Net for these Birds ought to be a Tramelling Net, and to be pitch'd before Day. The Fowl are to be driven soon after Day-light, or in a clear Moon-shiny Night.

The Springe is a Device for taking Fowl in the Winter only, when much Wet is on the Ground, or the Earth is cover'd with Snow, and is chiefly for taking Water Fowl: Wherein, if the Water be frozen, by making Plashes there will be the greater Resort of Fowl, and consequently the greater Prospect of Success.

And in the Setting of this Engine, you are first as in all other Cases) to observe the particular
Haunts

The Compleat Sportsman. 27

Haunts of Fowl, the Water Tracts they frequent; and where many Furrows meet in one narrow Passage, which afterwards divides it self again into other Parts and Branches, you'll not fail in taking of Birds.

These Things being mark'd, you are to take several small short Sticks or Twigs, and prick them cross-wisè athwart all the other Passages, half an Inch asunder, making a sufficient Fence to prevent the Birds passing any Way but one, which leads to your Snare: And if these Sticks stand but a handful above the Water, it will be sufficient.

When you have thus stopp'd all the Passages but one, take a stiff Stick cut flat on one Side, and prick both Ends down into the Water, making the upper Part of the flat Side just to touch the Surface of the Water: Then make a Bow of small Hazel or Willow, in the Fashion of a Pear, at least a Foot long, and about half a Foot broad at the broadest Part, and at the narrow End make a small Nick. Then take a good stiff grown Plant of Hazel or Willow, without Knots, three or four Inches in Circumference at the Bottom, and one Inch only at the Top; then sharpen the Bottom End, and at the Top fasten a strong Loop of Horse-hair, made of about one hundred Horse-hairs well twisted together, and so smooth, that it will run and slip at Pleasure; and let the Loop be of the exact Quantity of the Hoop. Then near this Loop you are to fasten a little broad Tricker, within an Inch and a half of the End of the Plant, made equally sharp at both Ends.

These Things being prepar'd, you are to thrust the bigger sharp End of the Plant into the Ground close by the Edge of the Water, the small End, with the Hoop or Bow and Tricker, must be brought

28 *The Compleat Sportsman.*

down to the first Bridge, and the other End hung on a Peg driven into the Ground: And then the Hoop being laid, one End of the Tricker must be set upon the Nick of the Hoop, and the other End against a Nick made in the Bridge near the small End of the Plant, which will keep the Plant strongly bent down; and the Violence of its Bend will make the whole stick and hold together until the Hoop be mov'd. This done, lay the Swickle on the Hoop in such Fashion as the Hoop is proportion'd; and then your Spring is set.

By observing these Methods, and pitching little Sticks on each Side, making an impaled Path (which is to widen gradually as you go from the Spring) from the Hoop, the Fowl will be enticed to wade up to the Spring, which is no sooner touch'd, but that Part of the Bird touching it is instantly ensnared, by the sudden Rising of the Plant.

The Springe for Woodcock, Snipe, Plover, and all lesser Fowl, is made in this Manner, only varying in Strength in proportion to the Bigness of the Birds.

You may likewise take Woodcocks, &c. with Snares, which are no more than Sticks cut of about two Foot in Height, stuck fast into the Earth, a little slanting to which are fasten'd Horse-hair Lines with running Nooses. They are to be fixed on the Sides of Furrows in Ground near some Coppice-Wood in Moonshiny Nights, when the Corn begins to spring; and the Nooses are to hang about three Inches from the Ground, being set about ten Foot distance one from another.

To take Herons, which are the
Herons. greatest Devourers of Fish of any Bird
whatsoever, you may do it with a Bait
in the following Manner: Get three or four small
Roaches

The Compleat Sportsman. 29.

Roaches or Dace, and having a strong Fish-hook, but not too large, with Wyre adjoining, draw the Wyre just within the Skin of the Bait on one Side for about half the Length of the Fish, beginning near the Gills, and then the Fish will live five or six Days. Then having a strong Line of Silk and Wyre twisted together, tie a round Stone of about a Pound Weight to the Line. Lay your Hooks in Water, not too deep for the Heron to wade, and if you colour your Line of a dark Green, you'll not fail to have the ravenous Bird in a few Nights, if he continues to frequent your Ponds.

The Diversion of Hawking, by reason of the Trouble and Expence in keeping and breeding the Hawk, and the Difficulty in the Management of her in the Field, is in a great Measure disus'd; especially since Sportsmen are arriv'd to such a Perfection in Shooting, and so much improv'd in the making of Dogs, which facilitates the Pleasure in taking all Sorts of Game: I therefore shall take no Notice of it, but proceed to the Laws concerning Pheasants, Partridges, &c.

By the Statute of 11 *Hen. 7. cap. 17.* *The Laws and Statutes relating to Pheasants, &c.* none shall take Pheasants or Partridges in another Man's Ground without Licence, under the Penalty of 10 *l.* to be divided between the Owner of the Ground and the Prosecutor.

If any Person shall shoot, kill, or take any Pheasant, Partridge, &c. or shall take their Eggs, or destroy Hares, &c. with Pipes, or other Engines, and thereof shall be convicted by Confession, or the Oaths of two Witnesses, before two Justices, he shall be committed for three Months without Bail, unless he immediately pays to the Use of the Poor twenty Shillings for every Fowl,

30 *The Compleat Sportsman.*

Egg, &c. taken or destroyed. But after one Month's Commitment he may be releas'd on becoming bound with Sureties, in 20*l.* each, never to commit the like Offence for the future. *Stat. 1 Jac. 1. cap. 27.*

The same Statute enacts, That none shall buy or sell again any Pheasant, Partridge, Hare, &c. (except by them brought up, or brought from beyond the Seas,) under the Penalty of 20*s.* for every Pheasant, and 10*s.* for every Partridge or Hare, to be divided between the Prosecutor and the Poor of the Parish where the Offence is committed.

The *Stat. 7 Jac. 1. cap. 11.* declares, That if any Person shall destroy any Pheasant or Partridge between the First of *July* and the Last of *August*, he shall be liable to a Penalty of 20*s.* for every Pheasant and Partridge kill'd, or suffer one Month's Imprisonment without Bail.

By the *Stat. 5 Anne, cap. 14.* it is enacted, That if any Higler, Chapman, Carrier, Inn-keeper, Victualler, or Alehouse-keeper, shall have in his or their Possession any Pheasant, Partridge, Moor, Heath-Game or Grouse, or Hare, or shall buy, sell, or offer to Sale any such; every such Higler, &c. or Carrier, (unless such Game be sent by Persons qualified to kill the Game,) shall upon View, or Conviction by the Oath of one or more Witnesses before one Justice of Peace, forfeit for every Hare, Pheasant, Partridge, &c. the Sum of 5*l.* one Half to the Informer, and the other Half to the Poor; to be levied by Distress: And for want of Distress, the Offender to be committed to the House of Correction for three Months. Prosecution to be within three Months.

The Statute of 9 *Anne, cap. 25.* makes killing Pheasant, Partridge, Moor, Heath-Game, or Grouse,

Grouse, in the Night-time, liable to the like Penalties, &c.

For the Preservation of the Red *Heath-* and Black Game of Grouse call'd *Game, He-* Heathcocks, or Heath Polts, the *Stat. rons, &c.*

4 & 5 *W. & M.* enacts, That no Person shall burn any Ling, Heath, Furze, Gorse, or Fern on any Hills, Heaths, Moors, or other Wastes, between the 2d of *February* and the 24th of *June*, on Pain of being committed to the House of Correction not exceeding a Month, nor under ten Days, and there to be whipp'd, and kept at hard Labour.

By *Stat. 19 Hen. 7. cap. 11.* no Person shall take an old Heron out of the Ground of another, (unless it be with Hawking or the Long-Bow,) on Pain of 6*s.* 8*d.* nor take a young one out of the Nest, on Pain of 10*s.*

And the *Stat. 25 Hen. 8. cap. 11.* enacts, That if any Person shall take away the Eggs of Heron, Bittern, or Shovelard, he shall forfeit for every Egg 8*d.* for every Egg of a Bustard 1*s.* 8*d.* of a Mallard, Teal, or other Wild-Fowl, 1*d.* to be divided between the King and Prosecutor, and be imprison'd for one Year. Justices of Peace to hear and determine these Offences, as in Cases of Trespas.

Trespas lies for Pheasants, though *Cases.* they are *Fera Nature*; for after Verdict they shall be supposed to be dead, and then a Property may be in them; but when they are alive, there cannot be any Property settled in these Birds. *Usher and Busbell, Raym. 16.*

Trespas was brought for entering another Man's Warren. The Defendant pleaded, That there was a Pheasant on his Land, and his Hawk pursued it into the Plaintiff's Ground. This doth

32 *The Compleat Sportsman.*

not amount to a sufficient Justification; for in this Case he can only follow his Hawk, and cannot take the Pheasant. 38 Ed. 3. *Popb.* 162.

And agreeable to this is 2 *Roll. Abr.* 567 which says, That if a Man permits his Falcon to fly at a Pheasant in his own Land, and she pursues the Pheasant into the Warren of another, and there takes him; yet he cannot justify the Entry into the Land of another to take the Falcon and Pheasant.



Of Hunting the HARE, FOX, &c.

UNDER the Head of *Hunting*, to pass by Encomiums on that noble Exercise, I shall begin with the Hunting-Horse, the stateliest of Beasts, and the Hounds used in the several Sorts of Huntings; and then I shall proceed to the Sport.

In the Choice of a Horse for Hunting, take care that he be vigorous and full of Mettle, yet not fiery: Let his Shape be generally strong, and well put together, making equal Proportions, which denotes Strength; and an unequal Shape (such as a large Head and a small Neck, a big Body and a thin Buttock, a large Limb to a little Foot, &c.) are certain Signs of Weakness.

Chuse your Horse of a large and lean Head, wide Nostrils, open Chauld, a large Weasand, and the Wind-Pipe straight; one that gallops upon his Haunches, and grazes but lightly on the Ground with his Feet, not raising his Forefeet too high; carrying his Head lofty, without resting too much on the Snaffle; and if he gives a little
Snort

Snort with his Nostrils every Stroke he makes, it is a sure Token of a sound Wind.

In the ordering of your Hunter, while he is at Rest let him have all the Quietness that is possible; let him have a sufficient Quantity of Meat, Plenty of Litter, and a great deal of Dressing, Water always near him, and let him sleep at his Pleasure. Observe to keep his Body open, rather soft than hard, and that the Dung be well colour'd and bright, for Dung of a dark Colour shews Grease, and Redness denotes inward Heat. After his usual and necessary Scowrings, give him moderate Exercise, and Mashes of Sweet Malt; or let Bread made of clean Beans, or Beans and Wheat mix'd together, be his best Food, and Beans and Oats bestow'd on him as a common Feeding.

Some Gentlemen never take up their Hunting-Horses to the Stable during the Season, but hunt their Horses upon a Grass-Feed, giving them as many Oats as they will well eat when they use them. And this Method is approv'd, where Horses are subject to Grease or a Defluxion of Humours; for if there be any molten Grease in your Horse, violent Hunting will disturb it, and his going to Grass purge it off. And I have heard of some Gentlemen that have rid their Horses a Buck-hunting three Days in the Week; by this Management, during the whole Buck-season, without any Injury to their Horses, but rather Benefit: But Care must be taken to turn the Horse to Grass perfectly cool.

Hounds pursue their Game by the Scent; and so eager are they in their *Hounds.* Sport, that they'll chuse to swim Rivers, rather than not overtake their Prey.

34 *The Compleat Sportsman.*

The best Hounds for the Hare are the **White** Hounds, which are esteem'd the quickest scented, and surest nos'd. The **Red** Hounds for the Hart, and the **Black** ones for the Boar; but the **Black** Hound is the hardiest and best able to endure the Cold. And for the Shape of your Hound, chuse such as have flat Noses, small Heads, having all their Legs of equal Length, the Breast not deeper than the Belly, and their Backs plain to the Tail; their Eyes quick, Ears hanging long, Haunches large, and Thighs well truss'd; their Legs big, and Feet hard; their Tails nimble, and the Beak of the Nose always to the Earth: And those which are most silent, and bark least, are to be preferr'd.

Those Hounds which are good, when they have found the Hare, make Show thereof to the Huntsman by running more speedily, and with Gesture of Head, Eyes, Ears, and Tail, winding to the Form or Hare's Muse: They never give over Prosecution, at the same Time making an harmonious Noise. Some Dogs will stand still when they have found the Game; others go forward without any Voice, or other Show of Ear or Tail; others again will wander up and down, barking at the Marks, and confound their own Foot-steps with the Beast's, &c. But these are ill Dogs, and not to be entertain'd by the ingenious Sportsman.

In the West-Country, *Cheshire*, *Lancashire*, and other Woodland and Mountainous Countries, you find a Breed of slow Hounds, which are large Dogs, tall and heavy. In *Worcestershire*, *Bedfordshire*, and many well mix'd Soils, where the Champaign and Covert are equal, a middle-siz'd Dog, of a more nimble Composure, is produc'd. And in the North, as *Yorkshire*, *Cumberland*, *Northumberland*, and many Champaign Countries,

Countries, are bred the light, swift, slender, and nimble-footed Hound. But the little Beagle, by some call'd the Blaze Hound, is most commonly used in *England*.

There are several Sorts of Harriers: Some for the Hare, some for the Fox; others for the Wolf, the Hart, the Buck, the Badger, and others for the Pole-Cat, the Weasle, the Coney, &c. And the Terrier hunteth both the Fox and the Badger: But those Dogs only are valuable which stick to one Sort of Game only. The Hound called Rache and Sluth-Hound in *Scotland*, are two Hunting-Dogs to be met with in no Part of the World but in *Great Britain*.

These Hounds do not only chase their Game while it liveth, but being dead by any Casualty, they also have Recourse to the Place where it lies: But when the Hare makes frequent Leapings and Headings, &c. whereby there is great Difficulty for the Dog to retain the Scent, it is then requisite to help the Hound with Voice, Eye, and Hand; and in Frosty Weather to allow a seasonable Time, for then the Scent freezes with the Earth, so that there is no Certainty of Hunting 'till it thaws. And if it happens to rain after the Hare is started, it is best to cease Hunting 'till the Weather is a little dried up; for the Moisture disperses the Scent of the Hare; but the dry Weather collecteth it again.

Hounds must be tied up 'till they hunt; yet for as they be let loose a little now and then to ease their Bellies. And if your Hounds are young, you are first to teach them your Hollow, and the Sound of your Horn, which should never be blown but when there is good Cause for it. And when they are about eighteen Months old, you are to lead them into the Fields once a Week,

Week, and no oftner, and they will easily learn their Business. But it is a good Way to teach your Hounds by taking a live Hare, and trailing her after you upon the Earth, sometimes one Way, and then another, and so continuing to do some time, at last hide it in the Earth. Then set forth your Hound near the Trail, who, taking Wind, will run to and fro until he find which Way the Hare is gone, but with a gentle Pace until he comes near the lodg'd Hare, when he mends his Pace, and moves on more nimbly, 'till he comes to his Prey, and then he leaps on it, and kills it: And thereupon he is to be sufficiently encouraged.

The best Time to commence your *Hare-Hunting* is about the Middle of *September*, and to end it about the

Close of *February*. If you continue your Diversion beyond that Time, you'll destroy the early Brood of Leverets: And the Sportsman ought to rise very early, or else he'll be depriv'd of the Scent, on which his whole Pleasure depends.

As soon as the Hare is started, you are to step into the Place you saw her pass, and hollow in the Hounds 'till they have all enter'd on the Scent, and are on it with full Cry. Then sound the Horn, following softly, and making as little Noise as may be; for at first Hounds are apt to over-shoot the Chace through too much Heat: But when they have run about the Space of an Hour, and you find your Hounds are well in with it, you may then come nearer with them, their Heat being by that Time cool'd, and they'll hunt more soberly.

You are particularly to mark the first Doubling, which is to be your Direction for the whole Day, all the Doublings she makes after being like it, (wherein a Female Hare will use more Crossings and

and Doublings than a Male, and seldom make out end-ways as the Male frequently does;) and according to her Windings, and the Situation you hunt in, you are to make your Compass greater or lesser, always observing to make Choice of the moistest and most commodious Place to fix the Scent of the Hounds.

If it be Rainy Weather, the Hare will hold the Highways more than at any other Time: And if she comes to the Side of a young Grove, she will scarcely enter, but squat down by the Side of it until the Hounds have over-shot her; when she will return the same Way she came to the Place from whence she was started, and will avoid the Covert by reason of the Wet and Dew that hangs upon the Boughs. And for the securing of the Hare in this Case, you need only stop a hundred Paces before you come to the Wood side, and you'll soon perceive whether she returns: And if she do, immediately call back and hollow in your Hounds.

Some Hares are so very subtil, that after they have been hunted some Hours, they'll start a fresh Hare, and squat in the same Form, whereby the fresh Hare has been pursued by the Hounds: Others, after they are long hunted, will get upon Quick-set Hedges, and run a good Way on the Top thereof; then betake themselves to Furze-Bushes, leaping from one to another, so that the Dogs are bulk'd: Others will climb Walls. And I have heard of some Hares that, as soon as they have heard the Noise of the Horn, though at a Distance, would quit their Forms, and repair to some Pool, and rest themselves there upon some Rushes in the Midst thereof, (but such as keep near the Waters are generally foul and measled.) Some Hares will take Ground, like Coney; and others will enter a Flock of Sheep, and there
hide

38 *The Compleat Sportsman.*

hide themselves: Such are their various Ways of Preservation.

If a Hare makes her Form either upon the North or South Wind, she will not willingly run into the Wind, but run upon aside or down the Wind. And a Hare hath greater Scent, and is more eagerly hunted by the Hounds, when she feeds upon green Corn, than at any other Time of the Year; as the great Wood-Hares, and such as are foul and meased, have naturally a stronger Scent than others.

If you have a Pack of young Hounds to enter, chuse the Season that is most temperate, in *September* and *October*; this being likewise a good Time to find young Hares that have never been hunted which are ignorant of the politick Crossings, Doublings, &c. and do squat, and start again oftentimes, whereby the Hounds are very much encouraged. When the Hounds are set on, and afterwards they are at a Default in the Highway, let the Huntsman hunt on 'till he find where the Hare has broke from thence, or has found some Dale, or fresh Place, where the Hounds may recover a fresh Scent, inspecting the Ground narrowly as he goes. You are to avoid hunting with young Hounds in hard frosty Weather; for that will not only founder their Feet, but also make them lose their Claws; and yet a Hare runs better in a severe Season than at any other Time.

The younger Hares, by reason of their weak Members, tread heavier on the Earth than the old ones, and therefore leave the greater Scent behind them. But there are Places wherein a Hound can find no Scent; and that is in fat and rotten Ground, which sticketh to the Foot of the Hare, and she carries the Scent with her.

And

And there are certain Months in the Year wherein a Hound can find no Scent; and that is in the Spring-time, when the Flowers are in Bloom, by reason of their fragrant Smell.

When a Hare goes to her Form, she commonly takes the Highways, doubling, crossing, and leaping as nimbly as she can; in which Places the Hounds can have no Scent in a dry Season, by reason of the Dust. They'll squat by the Sides of the Highways; and therefore it is prudent to let the Huntsman beat them very well. And a Hare leaveth better Scent when she goeth to Relief, than when she goeth towards her Form, by reason she coucheth her Body low upon the Earth, passing often over one Piece of Ground to find out the best Feed.

According to the Season, and Nature of the Place where the Hare is accustomed to sit, there beat with your Hounds, and start her. And herein you are to observe, that if it be in the Spring-time, or Summer, a Hare will not then sit in the Bushes, by reason of Disturbance by Snakes, Pismires, &c. But in the Winter they love to sit in Tufts of Thorns and Brambles, especially when the Wind is northerly or southerly: And in this Season they delight in being near Towns and Villages.

Your young Hounds being two Years old, and upwards, you may exercise them thrice a Week, and they will be the better for so often hunting, provided you feed them well, and you are to keep them out the greatest Part of the Day, to try their Courage, and enure them to Labour.

Most People think it advisable to hunt Hounds both early in the Morning and in the Evening: The hunting them by Break of Day encourages them to use their Notes; and the keeping them
sometimes

40 *The Compleat Sportsman:*

sometimes 'till the Afternoon, or 'till near Night, moves them to Boldness and Courage: Though some Persons, who use their Hounds to all Kinds of Hunting, do not oblige them to hunt in a Morning very early, by reason of the Dews; and they avoid Hunting in the Heat of the Day, by reason the Hounds will then soon give over their Chace.

Hares live not above seven Years at most, especially the Buck. They go to buck commonly in *January, February, and March*, and sometimes all the warm Months; the Doe-Hares frequently seeking the Bucks seven or eight Miles distant from the Place where they usually sit, following the Highways, &c. And there are four Sorts of Hares: Some live in the Mountains, some in the Fields, some in the Marshes, and some everywhere, without any certain Place of Abode. They of the Mountains are most nimble; and when they are hunted in the Plains, they will through Subtilty dally with the Huntsman 'till they seem to be almost taken, and then on a sudden take the nearest Way to the inaccessible Parts of the Hills. The Hares of the Fields are less nimble; and they of the Marshes, and which frequent Bushes, are most slow: But the wandering Hares are the most dangerous to pursue. A Buck-Hare's Hinder-parts are more white than the Doe's.

Fox Hunting is a Diversion fit; ting the Greatest of Quality; for the strong Scent of this Beast incites the Dogs to an excellent Cry: But as the Scent is hottest at hand, so it soonest dies.

The best Season of Hunting the Fox is in the Months of *January, February, and March*; for then you will best see your Hounds perform their
Duty,

Duty, and with Facility find his Earthing. And the Hounds hunt the Fox best in Cold Weather, by reason of the strong Scent he leaves behind him.

The Fox is taken either with Hounds, Greyhounds, Terriers, &c. And of Terriers there are two Sorts: The one is crooked-legg'd, and short-hair'd; and these will take Earth, and lye very long for either Fox or Badger. The other Sort is shagged, and straight-legg'd; and these will not only hunt above Ground, as other Hounds, but also enter the Earth with more Courage than the former; but cannot continue there long, by reason of their great Eagerness in pursuit of their Sport.

When you purpose to go a Fox-hunting, it is a very good Method to stop up the Earths over-night, about Midnight, when the Fox is abroad to seek his Prey. You may stop the Holes close with Blackthorns and Earth together, or two white Sticks laid a-cross over the Holes, may be sufficient, for he will imagine it is some Trap laid to ensnare him.

Being in the Field with your Dogs, you must draw with your Hounds near Groves, Thickets, and Bushes in the Neighbourhood of Villages; the Fox delighting to lurk in such Places where there's Plenty of Prey, which is to be met with among the Poultry, young Geese, Pigs, &c. in the Farmer's Backside. At first only cast off your Finders, and as the Drag improves, you are to add more, prudentially as they may be trusted; let such as you cast off in the Beginning be stanch Hounds, that may be depended upon: And if you hear such a Hound call merrily, you may venture to cast off some others to him: And when those run it on full Cry, cast off the Remainder

der of your Dogs, and encourage them as you do the Hounds for the Hare: But avoid casting off too many Hounds at once, because Woods and Coverts have commonly several Chases, and so you may engage your Dogs in too many at one Time, and make a Confusion to the Loss of your Sport.

Your Hounds being thus in pursuit of the Fox, he will not generally fly far before them, so that you may have a very good Prospect of the Sport; and he trusts not so much to his Legs or Strength as to strong Coverts. And when he is no longer able to stand up before the Hounds, he will then take Earth, if he can.

The Hounds should be permitted to kill the Fox themselves, and to worry and tear him at their Pleasure: And when he is dead, hang him at the Head of a long Staff, and hollow in all your Dogs to bay him; but 'tis not a good Method to reward them with any Part of the Fox.

In case the Fox so far escapes as to take Earth, you are to get the Assistance of some Countrymen, equip'd with Spades, Shovels, Pickaxes, &c. to dig him out; if the Earth be not too great; and the Huntsman is to be provided with a Couple of the crooked-legg'd Terriers to put into the Earth after him; and as soon as the Terriers find him, they bay or bark, and that Way as the Noise is heard, you dig to him. The Fox on Sight of the Terriers, if they bark hard, and lye near him, will many Times bolt out immediately; but if the Bitch hath young Cubs, she will sooner die than stir. And a Bitch-Fox is very hard to be taken when she is with Cub; for then she will constantly lye near her Burrow, and whip in upon the least Noise.

When a good Terrier doth once bind the Fox, he then yearns, and defends himself with a great
deal

deal of Bravery, but not so strenuously as the Badger, nor is his Biting so pernicious. And the Bitch-Fox, though, when she goes a clickiting, and seeks a Dog, she cries with a dismal Tone, resembling the Howling of a Mad-Dog, and repeats it when she misses any of her Cubs; yet when she's killing she makes not any Cry at all, but to the last Gasps defends her self with the utmost Courage.

The Fox chuses to make his Earth in Ground not easily to be penetrated; such as Clay, Stoney Ground, or amongst the Roots of Trees, where you cannot dig for them, for they apply their greatest Cunning in Self-preservation. Their Earths have commonly but one Hole; but that is of a considerable Length before you come at their Couches: And they sometimes craftily possess themselves of old Burrows belonging to Badgers, which have Variety of Rooms, Holes, and Angles; and they effectually drive the Badger from his Habitation by laying their Dung at the Entrance of the Burrow.

Your Terriers are to be entered when they are about a Year old; for after that Time there'll be a great deal of Difficulty in bringing them to take Earth. And the Method of entring them is this: When Foxes and Badgers have young Cubs, then take your old Terriers, and enter them in the Ground; and when they begin to bay, you are to hold every one of your young Terriers at the several Holes in the Earth, that they may listen and hear the old ones bay. When the old Fox is taken, and that nothing remains within but the young Cubs, then couple up all your old Terriers, and put in the young Terriers in their stead, encouraging them with Words, as, *To him, To him,* or the like. And if they take any young Cub within the Ground, let them alone to do what they

44 *The Compleat Sportsman.*

they please with him: But forget not to give the old Terriers their Reward, shewing them the Heads and Skins to encourage them.

Or you may enter your young Fox-Dogs, by taking an old Fox, and making an Earth in your own Grounds, wherein the Fox is to be put, and afterwards put in your Terriers, both young and old; and when they have sufficiently bayed, dig the Fox, and kill him before them, or let a Greyhound kill it in their Sight, and reward them. But you ought, before you give them their Reward, to wash them with warm Water, to clear their Skins, which otherwise will be apt to be mangy.

If a Terrier be rubbed with Brimstone, or with Oil of Cade, and afterwards put into an Earth which either a Fox or a Badger uses, they will leave that Earth for a considerable Time.

If a Fox be coursed with Greyhounds on a Plain, his last Refuge is to piss upon his Tail, and flap it in their Faces as they advance near him, to make them give over the Pursuit.

The Baiting of Badgers being a Sport much us'd by Country Gentlemen in some Parts of *England*, I shall here take a short View of Hunting this Beast.

And herein I shall take notice, That you are first to make a Search after the Earths and Burrows where the Badger lies; which being done, you are to go in a Moonshiny Night, and stop all the Holes but one or two, and therein place some Sacks fastned with Drawing-strings, which may enclose him as soon as he straineth the Bag. The Sacks or Bags being thus set, cast off your Hounds, and beat all the Groves, Hedges, and Tufts for a Mile or two in Circuit thereabout; and

The Compleat Sportsman. 45

and those Badgers which are abroad being alarm'd by the Dogs, will immediately repair to their Earths or Burrows, and so be taken in your Sacks.

But if the Hounds either encounter him, or enter on the Chace before he can get to his Earth, he will then stand at Bay like a Boar, and make incomparable Sport. And in this Hunting, the Person that watches the Sacks must stand close, and upon a clear Wind, otherwise the Badger will soon find him, and fly some other Way for Safety.

For this Hunting you are to have Terriers garnished with Bells hung in Collars, to make the Fox or Badger bolt the sooner. And when the Badgers perceive the Terriers begin to yearn, they'll stop the Hole between the Terriers and them; if the Terriers continue baying, they'll remove with their Baggage to another Room in the Burrow, and so will they remove from one to another 'till they can go no further, barricadoing the Way as they go.

The Badger loves Hog's Flesh beyond any other Feeding; for take but a Piece of Pork, and train it over a Badger's Burrow, if he be within, you will quickly see him appear without. Badgers are of a very cold Nature, and live long: They are very sleepy, especially in the Day-time, and seldom stir abroad but in the Night; and they defend themselves very well against the Teeth of the Dogs, or any Blows on the Body; but a small Stroke on the Nose will dispatch them. They are to be dug in their Earths as the Fox.

The Marten, or Martern, is about *Marten-
Hunting.* the Bigness of a Cat, with Head and Tail like a Fox. And this, with the

Wild-Cat, we frequently hunt here in *England.*

This

46. *The Compleat Sportsman.*

This Beast leaveth as great a Scent, and maketh as good a Cry as any that is hunted; and the Scent for Sweetness, and her noble Fur, exceed those of all other Vermin. The Chases of them are not easily found, unless the Huntsman has a Sight of them where they prey; but if a Hound chance to cross them, he will hunt it as soon as any Chace. When Martens can stand before the Dogs no longer, they will take to Trees to deceive the Dogs; but if the Hounds will not then give over, they will leap from one Tree to another, and occasion a great deal of Sport before they are kill'd.

Squirrel-Hunting. The best Place for this Diversion is in small slender Woods, such as may be shaken by the Hand: For if the Squirrels once climb a high Oak, they are secure from Men and Dogs.

The proper Time of hunting this small Animal is at the Fall of the Leaf, when many Persons are to go together to hunt them, and to carry Dogs with them. And also Bows are requisite to remove them when they rest in the Twists of Trees; for they will not be much terrified with hollowing except they be struck now and then.

They'll leap from Tree to Tree, wherein they use their Tails instead of Wings, leaping a great Distance; and they will frequently leap from the Top of a very high Tree down to the Ground, without receiving the least Injury.

This little Beast will save her self in the Tops of high Trees as long as her Strength lasteth: But at length she'll be driven from the Trees to the Ground, and creep into Hedges, (a certain Sign of Weariness,) where the yelping Curs soon seize her.

An Otter is a kind of Beaver, an amphibious Creature, living both on the Land and in the Water, and preying on Fish, Herbs, Frogs, &c. *Otter-Hunting.*

She commonly fixes under the Root of some Tree, near Rivers, Brooks, Fish-Ponds, &c. and sometimes she will lye in a hollow Tree, four or five Foot above Ground. She is of a timorous Nature, and therefore will not continue long in a Place : Se'll shift a Mile or two up and down the River.

These Otters are to be hunted by special Dogs, such as are called Otter-Hounds, and also with Otter Spears, to strike them in the Water. When they find themselves wounded with the Spear, they'll come to Land, and fight the Dogs furiously ; but 'till they are wounded they will not forsake the Water.

In hunting of the Otter there must be some Persons on one Side of the River, and some on the other, to beat the Banks with your Dogs. When the Hounds have found an Otter, hollow the Hounds, and lodge him as a Deer ; and if you find not the Otter quickly, you may then conclude that he is gone to couch somewhere further off from the River.

The King may not, without Act of Parliament, restrain any Man from the Use of lawful Recreations, as Hunting, Hawking, &c. Nor may he by his Prerogative punish the Exercise of it. *23 Co. 11. Rep. fol. 87.* *Laws relating to Hunting &c.*

By the Statute of 14 & 15 H. 8. cap. 10. it is enacted, That if any Person shall trace, kill or destroy Hares in the Snow, he shall be liable to a Penalty of 6 s. 8 d. to the King, if enquired of in the Sessions ; and the Lord of the Manor, if enquired of in the Lect.

48 *The Compleat Sportsman.*

If any Person shall make use of Snares, Hare-pipes, or other Engines in the Night-time, for the taking of Hares, he shall make such Satisfaction as shall be adjudged fitting by the Justices of Peace before whom the Party shall be convicted, and shall pay a Sum of Money not exceeding 10*s.* to the Poor of the Parish, or be committed to Prison not exceeding a Month. *Stat.* 22 & 23 *Car.* 2. *cap.* 25.

By the Statute of 4 & 5 *W. & M.* if any inferior Tradesman, Apprentice, or other dissolute Person, shall hunt, hawk, or fowl, (unless in Company of the Master, qualified by Law,) they shall forfeit for every Hare, Partridge, &c. any Sum not under 5*s.* nor exceeding 20*s.* half to the Informer, and half to the Poor of the Parish where the Offence is committed, to be levied by Distress, &c. And such Offenders may be likewise sued for Trespas for coming upon any Person's Ground; and the Plaintiff shall recover his Damages, and full Costs.

And by this Act, if a Constable, searching by Virtue of a Warrant, find a Hare in the House of any Person not qualified, he is to carry him before a Justice of Peace; and if he doth not give a good Account how he came by it, or produce the Party of whom he bought it, he is liable to the Penalties *supra*.

The Statute of 2 & 3 *Annæ*, enacts, That if any Officer or Soldier, without Leave of the Lord of the Manor under Hand and Seal, shall take or destroy any Hare, or other Game, Coneys, Pigeons, Poultry, &c. he shall, upon Conviction by Oath before a Justice of Peace, if he be an Officer, forfeit the Sum of 5*l.* and for every such Offence committed by any Soldier under Command, the Officer commanding in chief shall pay

The Compleat Sportsman. 49

20 s. or lose his Commission. The Forfeitures to be distributed amongst the Poor of the Parish.

By *Stat. 5 Anna, cap. 14.* it is declared, That if any Higler, Carrier, Inn-keeper, Alehouse-keeper, &c. shall have in his Custody, or buy or sell, or offer to Sale, Hare, Pheasant, Partridge, &c. he shall forfeit *5l.* for every such Hare, &c. + one Moiety to the Informer, the other to the Poor; or be committed three Months for the first Offence, and four Months for the second Offence.

If any Hare, &c. shall be found in the Shop or Possession of any Person not qualified in his own Right to kill Game, or being entitled thereunto by sufficient Powers from some Person so qualified, the same shall be adjudged an Exposing thereof to Sale. *Stat. 9 Anna, cap. 15.* +

And if any Person that shall destroy; sell, or buy Hares, &c. shall within three Months make Discovery of any Higler, Alehouse-keeper, &c. that hath bought or sold, or offered to buy or sell, or that hath in his Possession, any Hare, &c. so as to convict him, such Discoverer shall be discharged of the Penalties aforesaid, and receive equal Benefit with any other Informer.

Notwithstanding the Common Law allows the Hunting of Foxes, *Cases.* Badgers, and other ravenous Beasts of Prey, in the Ground of another Man, yet Digging to unearth them without Licence, is not warrantable by Law. *Cro. Jac. 321. Gensh and Mynn's Case. Roll. Abr. 558.*

The Property of Hares is in them on whose Ground the Hares remain, whilst they continue there. And if a Man in Hunting starts a Hare upon his own Ground, and pursues it on the
D Ground

Ground of another, the Hare is still his own: If a Man starts a Hare upon another Man's Ground and hunts and kills it, he is subject to an Action though it is seldom brought, the Cause being frivolous. *Child and Greenhill's Case. C. Car. 553.*



COURSING of Hares, &c.

COURSING, although it be not so noble an Exercise as Hunting, yet is it a reputable Diversion, and affords a great deal of Entertainment to the Gentleman of small Fortune, who cannot afford the Expence of a Pack of Hounds.

This Sport is pursued with the Greyhound which is a Hunting Dog that deserves the first Place, by reason of his Swiftness, Strength, and Sagacity in pursuing his Game; for such is the excellent Nature of this Dog, that he is not only quick of Foot to follow, but well scented to find out, and fierce and strong to overcome yet silent, and coming upon his Prey unawares.

In the Choice of your Greyhound for Coursing, let his Body be long, strong, and pretty large, his Head neat and sharp, his Eyes sparkling, his Mouth long, and Teeth sharp, his Ears small with thin Gristles in them, his Neck long, and a little bending, with a loose and hanging Wetherskin, his Breast strait, broad and strong, his Fore-legs strait and short, his Hinder-legs long and strait, his Shoulders broad, his Ribs round, Buttocks fleshy, but not fat, and let his Tail be long, and full of strong Sinews; and he will answer your Expectation.

The Compleat Sportsman. 51

Expectation. And though large Greyhounds are generally chosen, I have experienc'd that a middle-siz'd, well-limb'd Greyhound will out-do the other.

When you are determin'd to go a Courfing, (which your Greyhound will well bear three Times a Week,) feed your Dog in the Morning, before you air him, with a Toast and Butter, or Oil, and then kennel him 'till he go to his Course; for kennelling your Dog breeds Lust, Spirit, and Activity, keeps the Pores from spending 'till Time of Necessity, and prevents Casualties which otherwise might spoil your Sport.

If you go on Foot, it is usual to have several Country Fellows with you, provided with long Poles, to traverse the Fields, and beat the Bushes, Hedges, &c. as the Season of the Year may require, to start the Hare. But if you are on Horseback fewer Persons will serve; for the Ground is then more easily beat, and the Hare with more Facility disturb'd: But a great deal of Labour of this Kind may be saved by carrying abroad with you a Couple of small Hounds or Lurchers.

The Huntsman is to lead the Greyhounds in a Slip on his Left-hand, if he be on Foot, and on his Right-hand, if he be on Horseback; and to keep them tied 'till they can see their Course: Then let them loose, and hollow them on, giving the Hare all just Advantage, so that she may stand long before the Greyhound, and thereby he may shew his utmost Strength and Skill before he reap the Benefit of his Labour. If when the Greyhound has taken the Hare, he kills her, suffer him not to break it, but take her from him; and having cleans'd his Chaps from the Wool of the Hare, then give him the Liver, Lights, and

52 *The Compleat Sportsman.*

and afterwards take him up in your Leash again, and lead him home, when he is to be put in the Kennel, and fed half an Hour afterwards. And if you reward your Dog with Blood, it will greatly animate him, and encourage him to prosecute his Game.

Greyhounds commonly feed on Bones, Gristles, Crusts of Bread, &c. but your Diet-Bread is the most excellent Feed, to encrease their Strength, and preserve their Wind. This is made of Oatmeal and good Wheat, of the former only half the Quantity of the latter, ground together, scattering in it Liquorish and Anniseeds well beaten together: Then knead it up with Whites of Eggs, new Ale and Barm mix'd together, and bake it in small Loaves indifferent hard. This Bread ought to be soak'd in Beef-water, or other Broths, and to be given the Dog in the Morning about Sun-rising, and at Night about Sun-setting, first giving him an Airing.

In the Choice of Whelps, it is common to pitch upon those which weigh lightest; for they will be soonest up with the Game, and by often Turnings secure it 'till the heavier Hounds come up to their Assistance: But they ought to have large Sides, and a broad Midriff; the Belly should be small, their Legs long, and Hair thin and soft. If they are raw-bon'd, lean, loose made, and unknit in their Members, these are the proper Marks of true Shape in Whelps; but if after three or four Months they appear round, and as it were full knit, they never prove either good or handsome when grown up.

The best Time to try young Greyhounds is when they are twelve Months old; but some Persons enter them sooner, as the Male at ten Months old, and the Female at eight, though they run a great

The Compleat Sportsman. 53

great Hazard in straining them; and a Dog ought not to be permitted to run a long Course 'till he is eighteen Months old at least. To prevent the straining of your young Greyhounds, secure them in your Slip until the Game has been on Foot for some Time, and they can see their Course. And the best Way of entring Greyhounds (in the Opinion of many Sportsmen) is by the Help of old stanch Hounds.

In the Breeding of these Dogs you are to observe, that Whelps produc'd from an indifferent Dog upon a good Bitch, excel those which are bred from a good Dog upon an indifferent Bitch. Let your Dogs and Bitches be as near as you can of an equal Age, not exceeding four Years old: But to breed with a young Dog and an old Bitch sometimes produces excellent Whelps.

The Greyhound-Bitch is more nimble than the Greyhound-Dog; but the Dog is the strongest, and unwearied in his Course. The good Dogs produc'd in a deep Low-Country, will always excel the good Dogs upon the Plains.

The Laws of the Leash or Coursing, establish'd in the Reign of *Queen Elizabeth* by the Duke of *Norfolk* and the chief Gentry of *England*, are as follows.

1. It was order'd, That he who was chosen Fewterer or Letter-loose of the Greyhounds, should receive the Greyhounds match'd to run together into his Leash as soon as he came into the Field, and follow next to the Hare finder 'till he came unto the Form: And no Horseman or Footman, on Pain of Disgrace, to go before him, or on any Side, but directly behind, the Space of forty Yards, or thereabouts.

54 *The Compleat Sportsman.*

2. That not above one Brace of Geyhounds do course a Hare at one Time.

3. That the Hare-finder should give the Hare three Sohoes before he put her from her Lear, to make the Greyhounds gaze, and attend her rising.

4. That the Fewterer shall give twelve Score Law before he loose the Greyhounds, except it be in danger of losing Sight.

5. That Dog which giveth the first Turn, if after the Turn be given there be neither Coat, Slip, nor Wrench extraordinary, shall be held to win the Wager.

6. If one Dog give the first Turn, and the other bear the Hare, then he that bears the Hare shall win.

7. If one Dog give both the first and the last Turn, and no other Advantage between them, the odd Turn shall win the Wager.

8. That a Coat shall be more than two Turns, and a Go-by, or the Bearing of the Hare, equal with two Turns.

9. If neither Dog turn the Hare, then he which leadeth last at the Covert shall be held to win the Wager.

10. If one Dog turn the Hare, serve himself, and turn her again, those two Turns shall be as much as a Coat.

11. If all the Course be equal, then he which bears the Hare shall win only: And if she be not born, the Course must be adjudged dead.

12. He which comes first in to the Death of the Hare, takes her up, and saves her from breaking, (cherishing the Dogs, and cleansing their Mouths from the Wool and other Filth of the Hare,) for such Courtesy done shall in Right challenge

The Compleat Sportsman. 55

challenge the Hare: But not doing it, he shall have no Right, Privilege, or Title therein.

13. If any Dog shall take a Fall in the Course, and yet perform his Part, he shall challenge the Advantage of a Turn more than he giveth.

14. If one Dog turn the Hare, serve himself, and give divers Coats, yet in the End stand still in the Field, and the other Dog, without Turn given, running home to the Covert; that Dog which stood still in the Field shall be adjudged to lose the Wager.

15. If any Man should ride over a Dog, and overthrow him in his Course, (though the Dog were the worse in Opinion,) yet the Party for the Offence shall either pay the Wager, or receive the Disgrace of the Field: For between the Parties it shall be adjudged no Course.

16. And lastly, Those which are chosen Judges of the Leash shall give their Judgments presently, before they depart the Field; or else he in whose Default it lieth shall pay the Wager, by a general Voice and Sentence.

And he that hath the Office of the Leash conferred on him, hath Power to make Laws according to the Custom of the Country.



Hunter's TERMS, &c.

HAVING now gone through the several Businesses of the Sportsman in taking of all Sorts of Game, Shooting, Hunting, Coursing, &c. I proceed to the Terms us'd in Hunting, the Laws relating to Game-keepers, their Authority and

56 *The Compleat Sportsman.*

Warrants to empower them, which is the last Head of my First Part of this Treatise.

In respect to the Hunter's Terms, I shall begin with the Noises of Hounds: When they are first cast off, and find some Game or Chase, we say They challenge: If they are too busy before they find the Scent, we say, They bawl: If they be too busy after they find good Scent, we say, They Babble: If they run in end-ways orderly, making it good, and then hold in together merrily, we say, They are in full Cry. When Spaniels open in the String, (or a Greyhound in his Course,) we say, They lapse. When Hounds hang behind, and beat over much upon the Scent or Place, we say, They plod. And when they have either earthed a Vermin, or brought a Deer, &c. to turn head against them, then we say, They bay.

Of Greyhounds, two make a Brace; of Hounds, a Couple. Of Greyhounds, three make a Leash; and of Hounds, a Couple and a half. The Greyhound hath his Collar, and the Hound hath his Couples. We let slip a Greyhound, and cast off a Hound.

We say, A Kennel of Hounds, and A Pack of Beagles. When the Hounds or Beagles take fresh Scent, hunting another Chase until they stick and hit again, we say, They hunt Change. When the Hounds or Beagles hunt it by the Heel, we say, They run counter. When the Chase goes off, and comes on again, traversing the same Ground, to deceive the Hounds or Beagles, we say, They hunt the Foil.

When Hounds or Beagles, at first finding the Scent of their Game, presently open and cry, we then say, They challenge, as is before observ'd. When Hounds or Beagles run along without opening

opening or making any Cry, we say, They run mute. When Beagles bark and cry at their Prey, we say, They yearn. When we set Hounds or Beagles in Readiness, expecting the Chase to come by, and then cast them off before the rest come in, we call it a Vauntlay. When Hounds or Beagles find where the Chase hath been, and make a Proffer to enter, but return, we say, There is a Blemish. And when Hounds or Beagles have finish'd their Chase by the Death of the Game, and then are fed by the Huntsman, &c. it is called a Reward.

Where any Deer hath repos'd or harbour'd, we call that a Layr. Where we find Deer have lately pass'd into Thickets, &c. and then put the Hounds or Beagles to it, we call such Places Entries. When we set Hounds in Readiness where we expect the Deer will come by, and then cast them off, we account that a Relay. When Huntsmen endeavour to find a Hart by the Slot, &c. and then mind his Step to know his Size, they then say, They know him by his Gate. When any Deer is hard hunted, and then betakes himself to swimming in any River, &c. then we say, He takes Soyl. When Deer rub and push their Heads against Trees to cause the Pills of their new Horns to come off, They fray. When Deer cast their Horns, we say, They mew. When Hounds run at a whole Herd of Deer, we say, They run riot.

When the Hounds touch the Scent, and draw on 'till they rouze or put up the Chase, we say, They draw on the Slot. When we beat the Bushes, &c. after the Fox, we call it Drawing. And when the Hounds or Beagles hit the Scent of their Chase contrary, as to hit it up the Wind when they should hit down, we then say, They draw

58 *The Compleat Sportsman.*

amiss. When a Hare runs on rotten Ground, or in Frosty Weather that the Earth sticks to her Feet, we say, She carrieth. When a Hare takes the Ground like a Coney, (which is but seldom,) we then say, She goes to the Vault. We say How to a Deer; and when we start a Hare, we say, There, There, &c. A Call is a Lesson blown on the Horn.

The Names of Hounds are very numerous, but the following are common: *Beauty, Bangor, Boman, Bonny, Bouncer, Captain, Chanter, Countess, Caesar, Dido, Driver, Dancer, Daphne, Dutchess, Fancy, Flippant, Fiddler, Gallant, Hector, Juggler, Jewel, Joler, Jolly, Juno, Kilbuck, Lively, Lady, Madam, Merryboy, Mopsie, Mosley, Nancy, Plunder, Pluto, Rockwood, Ringwood, Rover, Ranter, Ranger, Ruffler, Soundwell, Stately, Thisbe, Thunder, Tattler, Touchstone, Traveller, Trouncer, Trusty, Trier, Venus, Vulcan, Violet, Wanton, Wonder, Whisper, Yunker.*

Hunters Terms, when Beasts of Chase are in Company, are, A Herd of Harts, and all manner of Deer; a Bevy of Roes; a Sounder of Swine; a Rout of Wolves; a Riches of Martens; a Brace or Lease of Bucks, Foxes, Hares, &c. a Couple of Rabbits. When Beasts lodge, a Hart is said to harbour; a Buck lodgeth; a Roe beddeth; a Hare formeth; a Coney sitteth, a Fox kennelleth; a Marten treeth; a Badger cartheth; an Otter watcheth. When they dislodge, the Hart is said to be unharbour'd, the Buck rouz'd, the Hare started, the Coney bolted, the Fox unkennell'd, the Marten treed, the Badger dug, and the Otter vented.

The Terms of Copulation are as follow: A Hart or Buck goeth to rut; a Roe goeth to toun; a Boar to brim; a Hare and Coney goeth

to buck; a Fox goeth to clickitting; and Otter hunteth for his Kind. Their Noise at Rutting-time: A Hart belleth, a Buck groaneth, a Roe belloweth, a Hare beateth, a Fox barketh, a Badger shricketh, and an Otter whineth.

For the Footing and Treading of Beasts of Venerie and Chase: A Hart is said to *slot*: Of the Buck and Fallow-Deer a *View*; if it be scarce visible, then it is call'd *Foiling*: Of a Fox, the *Print*: Of the Hare, diversly; for when she is in the open Field, she *foreth*; when she beats on the Highway, she *pricketh*; and in the Snow, it is call'd *Tracing*: Of an Otter, the *Marks*: Of Vermine, like the Fox, the *Footing*.

Terms of the Tail are; Of a Hart, Buck, or other Deer, the *Single*; of a Boar, the *Wreath*; of a Fox, the *Brush* or *Drag*, and the *Tip* at the End is called the *Chape*; of a Hare and Coney, the *Scut*; of the Wolf, the *Stern*.

We say, The Deer is broken up; The Fox and Hare is cased; A Litter of Cubs; A Nest of Rabbits; A Squirrel's Dray, &c.



*Laws relating to Game-keepers, with
the New Game Act.*

BY the Statute of 22 & 23 Car. 2. Lords of Manors are empower'd to authorize one or more Game-keepers, who may seize Dogs, Guns, Nets, &c. for the taking of Game, for the Use of such Lords. But then these Lords of Manors are not to be under the Degree of an Esquire.

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The Statute of 5 *Anna*, cap. 14. enacts, That any Lord or Lady of a Manor or Lordship may, by Writing under his or her Hand and Seal, empower his or her Game-keeper, within their respective Manors, to kill Hare, Pheasant, Partridge, &c. But if the said Game-keeper shall, under Colour of the said Power, kill, and afterwards sell or dispose thereof to any Person whatsoever, without the Consent of the Lord or Lady of such Manor, and thereof shall be convicted, upon the Oath of one or more credible Witnesses, before one Justice, he shall be committed to the House of Correction for three Months, and there be kept to hard Labour.

By the Statute of 9 *Anna*, cap. 25. the Act of the Fifth Year of Her Majesty's Reign, for the better Preservation of the Game, is made perpetual. And by this Act no Lord or Lady of a Manor shall make, constitute, or appoint, above one Person to be Game-keeper at any one Time, within any one Manor, with Power to kill or destroy the Game thereof: And the Name of such Person, so authoriz'd to kill the Game, is to be enter'd with the Clerk of the Peace of the County, Riding, or Division, wherein such Manor lies. Such Entry to be made without Fee; and a Certificate thereof to be granted upon Payment of one Shilling.

And if any other Game-keeper, not otherwise qualified to kill Game, shall presume to kill any Hare, Pheasant, Partridge, Moor, Heath-Game, or Grouse; or if any Game-keeper, or other Person whatsoever, not qualified in his own Right to kill Game, shall sell, or expose to Sale, any Hare, Pheasant, Partridge, Moor, Heath-Game, or Grouse, he shall for every Offence incur such Forfeitures, &c. as are inflicted by the Stat.

5 *Anna*

The Compleat Sportsman. 61

5 *Anne*, upon Higlers, Carriers, &c. for buying or selling of Game, viz. the Sum of 5 *l.* for every Hare, Pheasant, &c. one Half to the Informer, and the other Half to the Poor.

By the Statute of 3 *Geo.* reciting the *New Game-Acts* of the Fifth and Ninth of *Anne*, *Act.* and several Inconveniencies arising from deputing Farmers, Tenants, and Occupiers of Lands Game-keepers, &c. it is enacted, That no Lord or Lady of a Manor shall appoint any Persons to be Game-keepers, with Power and Authority to take and kill Hare, Pheasant, Partridge, or any other Game, but such as are qualified by the Laws of this Realm to kill Game, or as shall be truly and properly Servants to the said Lord or Lady, or be immediately employed by them to kill the Game for the sole Use and Benefit of the said Lord or Lady.

And by this Act no Lord or Lady of a Manor shall authorize any Person, not being qualified by Law, to take or kill any Hare, Pheasant, &c. or to keep or use any Greyhound, Setting-Dog, Guns, Nets, or other Engines, to destroy Game. And if any Person, not being legally qualified, or not being a Servant, &c. to any Lord of the Manor, as aforesaid, shall, under Pretence of any Deputation to him granted by any Lord of a Manor, take or kill any Hare, Pheasant, &c. or keep or use any Greyhounds, Guns, Nets, &c. to destroy the Game, he shall incur such Forfeitures and Penalties as are appointed by the Act of 5 & 9 *Anna*.

A

The Compleat Sportsman.



*A WARRANT to depute a Person
Game-keeper of a Manor, &c.*

TO all People to whom these Presents shall come, I *A. B.* of, &c. Lord of the Manor of, &c. have nominated, authorized, and appointed, and by these Presents do nominate, authorize, and appoint, *C. D.* of, &c. to be my Game-keeper of and within my said Manor of, &c. aforesaid, with full Power and Authority, according to the Direction of the Statutes or Acts of Parliament in that Case made, to kill all manner of Game for my Use; and to seize from Time to Time all such Guns, Greyhounds, Setting-Dogs, &c. Ferrets, Trammels, Hayes, or other Nets, Snares, or Engines, for the taking, killing, or destroying of Hares, Coneys, Pheasants, Partridges, or other Game, as within the said Manor of, &c. and the Precincts thereof, shall be kept or used by any Person or Persons whatsoever, not legally qualified to do the same. And further, to act and do all and every Thing and Things which belongeth to the Office of a Game-keeper, pursuant to the Acts of Parliament, during my free Will and Pleasure. Provided always, That the said *C. D.* before he commences his Office, do enter, or cause to be enter'd, his Name and the Puport of this Warrant with the Clerk of the Peace of the County of, &c. aforesaid, according to a late Statute. Given under my Hand and Seal this Day, &c.



*A LICENCE to a Person to hunt,
&c. within a Manor, and to seize
Guns, Nets, &c. of unqualified
Persons.*

TO all, &c. I *T. Lord A.* Baron of, &c. have given and granted, and by these Presents do give and grant unto *C. D.* of, &c. Gent. full Power, Licence, and Authority to Hunt, Course, Fish, and Fowl, from Time to Time, and at all Times hereafter, at the Will and Pleasure of him the said *C. D.* in, upon, and within my Manors of, &c. in the County of, &c. and every of them, and in, and upon all and singular the Lands, Grounds, Woods, and Rivers, within all and every the Boundaries, Limits, and Circuits of the said Manors, and every of them, in as full and ample Manner as I my self may or can do, without any Manner of Hinderance, Denial, Molestation, or Interruption of me the said *T. Lord A.* or of any Person or Persons claiming, or which hereafter shall or may claim any Right or Title from, by, or under me. And further, I, the said *T. Lord A.* do hereby authorize and empower the said *C. D.* from Time to Time, and at all Times hereafter, to seize, detain, and keep to his own use, or otherwise destroy, all Guns, Dogs, Hays, Tunnels, Nets, Snares, Fishing Nets, Angles; or other Instruments or Engines, for Destruction of Hares, Pheasants, Partridge, Fowl, Fish, &c. which shall be kept and used within my said Manors, and the

Littles

64 *The Compleat Sportsman.*

Limits thereof, by any Person or Persons not qualified by Law, without Licence first had and obtain'd from him the said C. D. for the doing thereof, whom I do hereby empower to make one or more Deputy or Deputies under him, at his Pleasure, for the Preservation of the Game within my Manors of, &c. aforesaid. In Witness, &c.



A Short LICENCE to a Gentleman to Hunt, Hawk, Fish, and Fowl, &c.

TO all People, &c. I A. B. of, &c. Lord of the Manor of, &c. do hereby authorize and allow C. D. of, &c. Gent. and give him full Power and Authority to Hunt, Hawk, Fish, and Fowl within my said Manor of, &c. and the Demesns thereof, and Places thereto belonging: And also, from Time to Time, to seize and take the Guns, Dogs, Nets, and other Engines and Instruments, kept and used by any Persons within the said Manor not legally qualified to do the same, during my Will and Pleasure. In Witness, &c.





T H E
Compleat Sportsman.

P A R T II.

Of the best Situations and Methods of Erecting and Management of PARKS, Warrens, &c. Of Hunting the Buck, Doe, &c. And a concise Abridgement of the FOREST-LAWS, and of all the Laws and Statutes relating to Deer methodically interspers'd: With Precedents of Warrants for Deer, &c.



PARK is a Piece of Ground enclosed, and stor'd with Wild Beasts for Chase. It is privileged by the King's Grant, or by Prescription; and differs very little from a Chase, being in its Nature between that and a Forest: But a Forest is open, and a greater Quantity of Ground; and this is enclos'd, and a lesser Quantity.

The

66 *The Compleat Sportsman.*

The first *Roman* that enclos'd Wild Beasts in Parks was *Fulvius Herpinus*; and *Varro* had the first Warren of Hares. From the Example of these Foreigners the *English* in former Times erected Parks, Chases, &c. for the keeping of red and fallow Deer, as well for the Profit of those noble Beasts, as the great Pleasure in Hunting. And at this Time there are more Parks and Forests in *England*, than in all *Europe* besides.

A Park of two or three Miles in Compass is a very agreeable Size, and with good Management is Extent sufficient for the breeding and keeping of a very considerable Number of Deer; for every Acre of Ground of the Value of 10 *s. per Ann.* will very well maintain two or three Fallow Deer, allowing in the severest Season of Winter a convenient Quantity of good Hay.

The Situation of your Park ought to be tolerably high, the Ground healthy, and plentifully wooded; and your Thorns are an agreeable Tree to be intermix'd, they not only making a handsome Figure, and a pleasant Shade in the Summer, but also making a good Covert, and produce Haws (a very good Feed for your Deer) in the Winter. The Walls of your Park should be high; and if Pales, they ought to be close jointed, so that neither Badger nor Cat can creep through, nor Fox, &c. leap over. And there ought to be as well Plenty of Bushes as Trees, to cover the Beasts against Heat and Cold, and to defend the lesser Beasts, as Hares, Conies, &c. from Hawks, Kites, and other Birds of Prey. Hares are commonly put into Parks, and a few Couple of them will soon multiply into a large Warren.

For the Management of Parks, they are under the Care of Keepers, who ought to be furnish'd
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with good Guns, a good Horse, and good Dogs; to be experienc'd Sportsmen, well acquainted with Buck-Hunting; but particularly good Marksmen, to strike down a Deer with a single Bullet; and that on Horseback, the only Method to come near your Deer; and a Keeper ought to have a Couple of large Greyhounds, to pursue the Deer when wounded: But they are to be under the most exact Discipline and Command, lest they should tear and mangle the Game. Sometimes Gentlemen will turn a Buck out of the Park, and hunt him in the open Country a great many Miles, to their very great Diversion.

A Park-Keeper must be likewise a careful vigilant Man: He must daily take a Turn round his Park, and keep a constant Account of the Number of his Deer; and oftentimes watch them at Night, for their Preservation against unlawful Hunters, especially in Moon-shiny Nights and the Rutting season. He must take care to calculate an exact Number of Bucks and Does proper to be kill'd in each Season, (wherein the oldest Venisons ~~are to be first kill'd,~~) so as not to make ~~any Destruction,~~ or lessening of his Park, and at the same Time not to over-stock the same, preserving a proper Number of young Fawns to be bred up in the Steads of those he kills; and having always a Regard to Casualties, which some will happen in the Winter unavoidably.

There are several Laws and Statutes relating to Parks: As, The King at his Pleasure may grant a Warren to one in any Land of his own, for all Sorts of Beasts of Chase, Hares, &c. *Crom. Jur.* 148.

None may erect a Park, Warren, &c. without Licence of the King; for they may not restrain Beasts, *Fera Naturo*, from their natural Liberty

68 *The Compleat Sportsman.*

bertry without a Royal Licence. But for Hunting, &c. which are Matters of Pastime and Pleasure, there need be no Licence, but every one in his own Land may use them at his Pleasure, without any Restraint, unless by Act of Parliament. 11 Hen. 7. cap. 17. 23 Eliz. cap. 10. 3 Jac. 1. cap. 13.

By the Statute of *Westm.* 1. 3 *Edw.* 1. cap. 20. Trespassers in Parks, &c. shall give treble Damages to the Party griev'd, suffer three Years Imprisonment, be fined at the King's Pleasure, give Security not to offend again in the like Kind, or abjure the Realm; and if such Persons be come Fugitives they shall be outlaw'd.

To hunt in a Park or Warren, &c. in the Night-time, or disguised, if denied or conceal'd upon Examination before a Justice of Peace, is made Felony: But if the Crime be confessed, it is only finable at the next General Quarter-Sessions. A Rescous or Disobedience by the Party is also made Felony. 1 Hen. 7. cap. 7.

If the Owner of a Park die, his Heir shall have the Deer in it, and not his Executors; for without the Deer the Park, which is an Inheritance, is not compleat. *Co. Rep. lib. 7. fo. 17.*

A Man grants the Custody of his Park, he may nevertheless dispark it; but if he makes a Lease of his Park to any Person, he may not in this Case dispark it. *Dyer* 71.

If the Office of Parkership be granted to a Nobleman without particular Words empowering him to keep a Deputy, he may nevertheless officiate by his Servants: For in many Cases the Laws allow Acts of Conveniency to the Nobility, in respect of the Dignity of the Person. As if a Licence be given to a Duke to chase in a Park, the Law for Conveniency gives him such Attendants

The Compleat Sportsman. 69

dants which are requisite to the Dignity of his Estate. 9 *Rep.*

But if a Licence be given to a private Person to hunt in a Park, the Servant cannot justify, tho' by his Master's Command; for this is only a Thing of Pleasure, and a Licence extends strictly to him to whom it is given, and to none other, contrary to a Gift by which a Man gains Property. *Crom. Jurisd.* 159. b. But if a Man hath a Licence or Interest of Profit, he may justify for himself and Servants. *Manwood, cap.* 20. p. 382.

If a Gentleman license another to chase in his Park, such Person cannot bring others with him to hunt there; neither can he carry off a Venison when kill'd, without particular Words in the Licence to empower him. But if a Licence be granted to him to chase, kill, and carry off Deer at his Pleasure, then he may bring others with him, &c. *Cromp. Jurisd.* 160.

A Parker may not licence one to hunt and chase in his Master's Park. And if a Person that hath Licence to hunt in a Park, &c. exceed his Authority in any Particular, he shall be punish'd for that Fact as if he had no Licence at all. *Manwood, cap.* 18. p. 280, 288.

If a Man enters a Forest in the Night-time, the Forester cannot justify beating him before he makes Resistance: But if he resists, he may justify the Battery. *Roll's Abr. fo.* 348. And a Parker or Warrenner may justify killing Persons that come to hunt and kill Game wrongfully within his Liberty. But if upon private Malice the Keeper kills a Man that comes into his Park, and one that enters the same without any Intent to hunt, this is Murder in the Keeper. 2 *Roll. Rep.* 120.

70 *The Compleat Sportsman.*

On the contrary; If Trespassers in a Park kill a Keeper who opposes them, though they bore no Malice to him, this is Murder; because they entered the Park to do an unlawful Act, which carries an Implication of Malice along with it. And if Trespassers in any Case kill such Servants, it is Murder. *Lord Dacre's Case, 33 Hen. 8.* who was hang'd for trespassing in the Night-time in another's Park, where a Keeper was killed.



Of Warrens, Coney-catching, &c.

A Warren is a Franchise, or Place priviledged, either by Prescription or Grant from the King, (like unto a Park.) to keep Beasts of Warren; as Rabbits, Hares, &c. And, with good Management, is the best and most profitable Disposition of some Sorts of Land; for the Coney will begin to breed at a Year old, and will bear at least seven Times in a Year.

A dry barren Gravel or Sand, that will maintain nothing else, is the best Ground for Rabbits. And the best Situation for a Warren, is against the Side of a small Hill, or easy Ascent, defended by the Brow of it from the severest Winds: And a few Bushes scatter'd up and down are of great Use to the Rabbits, especially in the Summer, to shade the little Beasts when they are abroad a feeding.

The best Method of taking Rabbits in a Warren is with the Ferret, a little wild Creature, not to be met with either in *France, Spain, Italy, or Germany*; but in *England* they breed naturally, and are easily tam'd. The Warrener must first
make

The Compleat Sportsman. 71

make a Noise in the Warren to frighten the Conies abroad into their Burrows, then he is to pitch his Nets; after that he puts his Ferret into the Earth, being muzzled so that he may not seize the Conies, and having small Bells about his Neck: And by this Means the Conies will be frighten'd out of their Burrows, when they are driven by Dogs into the Nets.

If you have no Ferret, you may take them when they straggle abroad from their Burrows, either by Curs or Spaniels bred up for that Sport, or else by Coursing them with Diminutive Greyhounds: And the best Places for Hunting are among Bushes and Hedges. In their Default they are commonly driven into their Burrows; and therefore it will be requisite to set Purse-Nets on the Holes: And some say the Drone of a Bagpipe put into a Coney-Burrow, and blown on a sudden, will make the Conies bolt.

When a Buck-Rabbit hath buck'd, he is accustomed to fall backwards, and lye as if he were half dead; at which Time he is easily taken. Our Tumblers will make excellent Sport, and kill Conies abundantly. And Hays are to be preferred beyond any other Engines, for the taking of Conies.

Those who keep tame Conies, are to have a particular Regard to the Feeding: They may be assign'd Herbs, Grass, Vine-Leaves, Fruits, Milk-shistles, Cabbige, Lettice, or Carret-tops, Beans, Oatmeal, &c. but be sure let there not be the least Slip of Hemlock amongst the Herbs, for that is a present Poison. In the Winter they will eat Hay, Oats, and Chaff, being given them thrice a Day: But when they eat green Things, they are not to be allow'd any Drink at all; for that would make them swell: And at all other Times
a little

72 *The Compleat Sportsman.*

a little Drink will suffice, and that must be always fresh. And it is good to mix Oats, Chaff, &c. with your green juicy Meat, for fear of a Rot.

The Warrener cannot be too careful in setting of Iron Gins, Traps, &c. properly baited, for the catching of Polecats, and other Vermine, which do great Mischief to the Warren, especially at the Time the young Coneys first venture out of their Holes. These Gins may be made likewise to take Dogs, Cats, (some whereof are very mischievous to Warrens,) Kites, and other Birds of Prey.

No free Warren can be made in any Chase or Park; nor may any Person make a Park or Free Warren within his own Land, without the King's Licence or Grant for it. And if any shall presume so to do of his own Accord, the King may by a *Quo Warranto* seize it. *Co. Rep.* 11. fo. 86.

To kill or chase, without the Owner's Licence, Deer or Coneys, in any Park or Inclosed Ground, incurs the Penalty of three Months Imprisonment, treble Damages to the Party injur'd, (or 10*l.* at his Election,) and the Offender to be bound with two good Sureties to the good Behaviour for seven Years, or to be imprison'd 'till he finds such Sureties. *Stat. 3 Jac. 1. cap. 13.*

By the Statute of 22 & 23 *Car. 2. cap. 15.* if any Person shall enter into a Coney-Ground, tho' not inclos'd, and chase or kill against the Owner's Will, he shall upon Conviction pay treble Damages, be imprison'd for three Months, and find Sureties for the good Behaviour.

And the same Statute enacts, That if any Person shall kill Coneys on the Borders of Warrens, or other Ground used for keeping Coneys, in the Night-time, except Owners, &c. they shall make
such

such Recompence as shall be appointed by the Justice of Peace before whom the Party shall be convicted, and pay such Sum of Money to the Poor (not exceeding 10*s.*) as the said Justice shall think fit, or be committed to the House of Correction not exceeding a Month.

The Plaintiff brought his Action for breaking his Close, and killing his Coneys. The Question was, Whether the Plaintiff could say they were *Cuniculos suos*, unless they had been allעד' d to be killed in *Warrena sua*, in regard they are *Fere nature*? The Lord Chief Justice said, That he had a Property in them, so long as they were upon his Ground; which Property was transient and not permanent: And the being or not being a Warren signifies nothing as to that; but the being upon his Land is sufficient, though it be no Warren. *Mich. 12 Hen. 8.*

If a Man makes Coney-burrows in his own Land, and they multiply there, his Neighbour may not have Action on the Case against him; but when the Coneys come into the Land of his Neighbour, he may kill them, and he who made the Coney-burrows has no Property in them: So that he shall not be punished for the Damages by the Coneys in which there was no Property, and when they may be lawfully kill'd by the Person injur'd. *5 Rep. 104.* The King and *Shure's* Case.

A Commoner may not kill the Coneys, so long as they are in the Lord's own Land. The Lord hath a Property in them, and he may say, *Cuniculos suos*; but when they go out, he hath no longer a Property in them; for none can say, when Coneys are on the Common, whose Coneys they be. And they cannot be said to belong to either Plaintiff or Defendant when they

74 *The Compleat Sportsman.*

are out of their Soil ; and a Man hath no other Interest in them than any other, they being *Fera Naturæ*. *F. N. B.* 87. But Coneys are Matter of Profit to the Owner of the Soil for House-keeping, &c. *Wilkinson's Case*.

It is no Waste to destroy Coney-burrows ; for Waste will not lye for Coneys, because a Man hath no Inheritance in them : And a Man can have no Property in Coneys, only a Possession. One leased a Manor, and a Warren, and brought Waste, that the Tenant had destroyed a Coney-burrow, and subverted it ; the Action will not lye. But if Lessee of a Warren break the Pales, Action of Waste will lye. *Owen* 66. *Moyle's Case*.

Every Forrest, being the highest and greatest Franchise, comprehends in it a Chase, a Park, and a Free Warren. *Manwood*, p. 53.



Of Hunting the Hart, Buck, Doe, &c.

THE Hunting of the Hart is a Royal Exercise: And the Season for this Sport begins a Fortnight after Midsummer, and continues 'till *Holy-Rood-Day*: The Hind or Doe begins at *Holy-Rood-Day*, and lasts 'till *Candlemas*: The Roe-Buck begins at *Easter*, and lasts 'till *Michaelmas*: The Roe begins at *Michaelmas*, and lasteth 'till *Candlemas*: And the Fawn-season begins in *July*, and lasts 'till the Middle of *September*.

Your Hounds for this Hunting ought to be rather long than round ; their Nostrils wide, their Ears large, Backs bowed, the Fillets great, the Haunches large, Thighs strong, and Hams strait ;
their

The Compleat Sportsman. 75

Tails big near the Reins, and the rest slender to the End; their Legs strong; the Soles of Feet dry, and form'd like a Fox's, with the Noses large.

To enter your young Hounds for Hart-hunting, chuse the Season that the Hart is in the Heat of Grease; for then he is heavier than at other Time, and cannot stand up so long. Then chuse your Forest, wherein the Relays are of equal Proportion; place all your young Hounds, five or six old ones to enter them; and lead them to the farthest and last Relay, and cause the Hart to be hunted to them. Being come, uncouple your old Hounds; and when they have found the Track of the Hart, and are well warmed in Cry, uncouple likewise your young Hounds; and if you find any of them lag behind, they are to be corrected till they do their Duty.

You may likewise enter your Hounds by taking a Hart in Nets, and after you have cut off one of his Feet, let him go. A Quarter of an Hour after assemble your young Hounds; and when you have found out the View or Slot of the Hart, back by your Bloodhounds, uncouple your young Hounds, and let them hunt. You may bring them to quarry by taking half a Dozen Huntsmen, swift of Foot, each whereof having

a Couple of Hounds led in Liams; and having unlodg'd the Hart, pursue him fair and softly so that you tire not too much your young Hounds. After the Hart hath run two or three Mils, and that you find he begins to sink, you then cast off your young Hounds: But beware not when he is at Bay, and his Head full of Blood; for at that Time you may endanger the Lives of your Dogs.

76 *The Compleat Sportsman.*

There are many other Ways of entering Buck Hounds: But the best Method is to enter the first at the Hare; for by that Means they will learn all Doubles and Turns, be better acquainted with the Hallow, will be more tender nose and better scented, by a frequent Use to the Beaten Ways and Champion Ground. And respect to Hounds in general, you are to observe that with what you first enter your Hounds, at therewith reward them, they will ever after lo most: So that if you intend them for the Hunt enter them not first with the Hind, &c.

Having now inform'd you how to chuse and enter your Hounds, I come to the Sport. When the Huntsman hath instructed his Dogs in the Work of Art, so that he can set them on, and take them off again at his Pleasure, he may venture to carry them abroad; and when the Relays are well met and placed, he is to walk before the Kennel Hounds with his Pole in his Hand, taking Care in the first Place, to compass in the Beast in her own Layr, and so unharbour her in View of the Dogs, that they may never lose her Slot or Footing. Being come to the Blemishes, and having observ'd the Slot, and such other Marks as may be observ'd from the View of the Deer, where the Huntsman may know whether his Hounds run riot, or not; then he is to cast abroad about the Covert, and discover the Hart when he is unharbour'd, the better to distinguish him by his Head, or otherwise. Which being done, the Dog-couplings taken off; and the Deer unharbour'd, all the Hounds are to be cast off, at some on Horseback, others on Foot, to follow the Cry with the greatest Speed, but not without Art and due Care; and all setting-on the Dog

The Compleat Sportsman. 77

at first by crying *To him, To him, That's he, That's he*, or such like Words of Encouragement.

If the Huntsman hath the Hart in View, he is to blow and hollow 'till the Hounds are come in, and still to draw upon the Slot: But when the Dogs are all in full Cry, and take it right, the Huntsman may forthwith mount his Horse, and coast to cross the Hounds that are in Chase, observing to keep under the Wind, whereby he may help the Dogs at a Default. And if the Bloodhound in his Pursuit chance to over-shoot, and draw wrong or counter, then the Huntsman must keep him back by saying, *Back, back, Softly, softly, &c.* 'till he hath set him right again; and when the Hound has mended his Fault, he is to be sufficiently encourag'd.

The Huntsman is never to advance nearer the Hounds than sixty Paces at most, especially at the first uncoupling, or at casting off their Relays; for by coming in over-hasty, you may sometimes spoil the Slot, and thereby for want of Scent the Hounds will be apt to over-shoot the Chase.

If your Hounds are at a Default, and hunt in several Companies, you may then conclude that the Hart hath broken Herd from the fresh Deer, and that the fresh Deer have likewise separated themselves. In which Case you are to have a Regard to the old stanch Dogs; and where you observe any of the old Hounds challenge, encourage them, hastening in the rest of the Dogs by calling them by their several Names.

After running some Time, a Hart will commonly seek other Deer at Layr, and rounze them, and by this Means make the Hounds hunt Change. He will lie down flat in some of their Layrs upon his Belly, and the Hounds will over-shoot him: In this Case the Huntsman is to blemish at

78 *The Compleat Sportsman.*

such Places as the Hart enters a Thicket; and if the Hounds hunt Change, he is to put them to those Blemishes and the right Slot, till they have rouz'd the Hart again. And when a Hart is closely pursu'd, he'll break from one Thicket to another, rouzing and herding with other Deer for some Time; and when he is near spent, he'll break Herd, and fall a doubling and crossing in hard Highways, where the Dogs will have a very imperfect Scent: or else betake himself to some River, (the last Refuge,) where he'll swim some Time without touching any Bough, to give the Dogs a Scent; and sometimes he'll cover himself under the Water, so that you can perceive nothing but his Nose. And in all these Cases, the Huntsman is to have a special Regard to his old Hounds, which hunt carefully and leisurely.

If a Way be too hard for the Slot, be sure to try far enough back: And if after hunting the Space of an Hour, you perceive the Hart makes out end-ways, before the Hounds, and that they follow in full Cry, the Huntsman may in this Case come pretty near the Dogs, to blow a Recheat for their Encouragement. But in the Heat of the Day, a Huntsman is not to force his Dogs much, especially in a Champion Country: And when the Dogs are almost spent, it is sufficient that they wag their Tails only, without calling.

If a Hart in the Chase turns about, and faces the Dogs at Bay, it is very dangerous to go in to him, especially about the Time of Rutting, when they are most fierce. The Method of proceeding at this Time, is to couple up your Hounds; and when the Hart turns Head to fly, you may gallop in to him, and with your Sword kill him: Or if it be in woody Place, whilst the Hart is staring on your Hounds, the Huntsman may

may come covertly behind him, and cut his Throat.

When the Huntsman comes in to the Death of the Deer, the first Ceremony is to cry, *Ware Haunch*, that the Hounds may not break into the Deer: Then he is to cut his Throat, and blood the youngest Hounds, and teaching them to leap at the Throat of Deer. When this is done, he is to blow the Mort, for all the Company to come in, and the Persons of the greatest Note, who have never taken Say, are to do it in a ceremonious Manner, and the Deer is to be broke up. Which done, and the Dogs rewarded, a treble Mort and a whole Recheat is to be perform'd by all in Consort, or if a Buck, only a double Mort; and a general *Whoo whoop* concludes the Ceremony.

If a Huntsman should happen to fail in killing of a Hart, by being overtaken with the Night, or otherwise, he must follow the Hounds pretty close, and well mark the Place where they left the Chace. The next Morning at Break of Day bring your Bloodhounds to it, with your Kennel after them; and if any Hound that may be depended upon vents, he is to put his Hounds to it, whooping twice, or blowing two Notes with his Horn. And if the Huntsman find the Covert or Grove that the Hart is gone into, then he must draw his Hounds about it, and beat a-cross and through it. If there he renews the Slot or gets a View of the Hart, and he is satisfied 'tis the right, then he is to blow his Horn; for Dogs are animated by the Winding of the Horn and Voice of the Huntsman, like Soldiers to the Battle by the elevating Sounds of the Trumpet and the Drum.

80 *The Compleat Sportsman.*

Harts, when they are hunted, most commonly run up the Wind, and straight forwards as far as they are able; and when they have been hunted so as to be far spent, it is a common Thing to find several Layts together, by reason they cannot stand, but they lie and feed.

Sometimes the Hart, when he is close pursu'd, will fly into Herds of Cattle, as Cows, Sheep, &c. leaping on an Ox or Cow, and laying the Fore-parts of his Body thereon; so that he touches the Earth only with his Hinder-feet, and leaves a very small or no Scent at all behind for the Hounds. And I have read of a Hart hunted in France, that leap'd into a great White-thorn which grew in a shady Place as high as a Tree, environed with small Shrubs about it, and there stood aloft (the Boughs spreading from one to another, and surrounding him) 'till the Huntsman discover'd him, and thrust him down.

It is the Manner of these Beasts of Chace, when they see themselves every Way intercepted, to make Force at the Person that first comes in to them with their Horns, unless prevented by Sword or Spear; and the Sportsman is sometimes obliged to a Tree for his Refuge. And it is observ'd, that when a Hart pricketh up his Ears, he windeth sharp, very far and sure, and discovereth all Treachery against him; but if the Ears hang down, and move, he perceiveth no Danger.

To know an Hart by the Slot, you are to look carefully on the Treadings of his Foot; and if you find the Treadings of two, the one long, the other round, yet of equal Bigness, the long Slot declares the Hart to be much the largest. But there is no certain Rule to know the Beast by the Slot, without a due Regard

Regard to the Situation of the Country; for Harts bred in a stoney Mountainous Country have commonly their Toes and Sides of their Feet worn, by continually climbing and passing over the rugged Plains; and in soft Sandy Ground they slip upon the Heel by reason of their Weight, and by frequent resting themselves on that Part of the Foot, the Heel grows broader.

To know the Age and Size of a Hart by other Means, you are to have a Regard to the Fewsmithing in the Months of *April* and *May*. If the Fewsmets are large, of consequence the Hart is old: And the Entries into the Thickets will shew the Height and Thickness of the Hart. By the Height of the Entry we judge the Age of an Hart; for young Deer always creep low; and the old Hart's Hind-foot never over-reacheth the Fore-foot, as the young one's doth.

The Gate of a Hart will shew its Largeness, a long Step is a certain Sign: And such a Deer will stand up very long, unless it be when he leaves a great Slot, which is a Sign of an old Deer.

The last Method of knowing Deer is by the Fray: They will frequently beat their Heads against some Tree or other, which is called their Fraying Post. The old Hart goeth soonest to Fray, and chuseth a large Tree, such as he cannot bend with his Head; and the younger Deer chuse weaker and lesser Trees, and fray lower than the old ones. This is the last Ceremony they use before they enter their Harbours.

There are several Ways of knowing the Hart on View; but I shall only mention, that when the first Antler is large, long, and near to the Bar, the Second Antler near to the Antler, and both well pearl'd, the rest of the Branches, which are

82 *The Compleat Sportsman.*

higher, well order'd, set, and well grown, these are certain Signs of an old Hart.

To find the Harbour of a Stag: The Harbour is first to teach his Hounds to draw mute; then he is to beat round the Outside of the Covert, and when his Hounds challenge, his next Thing is to seek the Slot of the Deer; and having observ'd the Slot, the Entries of the Hart, and Fraying-Post, &c. whereby he may know the Bigness of the Deer, draw with more Circumspection, checking your Draught-hound to secure him from spending when he comes near enough to have the Deer in the Wind, which you may discover by his Eagerness; and you ought then to draw him, and having retir'd some Distance back, you are with your Hound to surround the Place first at a considerable Distance; and then if you give him no Disturbance, you may venture to make your second Round a little within the first, which will secure him in the Harbour; for he will not pass that Taint your Hound hath left in the rounding of him without Force. And here the Huntsman may set up a Bough for his Direction, and unharbour the Hart at his Pleasure.

If the Weather be hot, and the Huntsman is to find the Harbour of the Hart in a high Wood, he is to observe that at such Times the Deer disperse themselves into small Thickets, Groves, &c. near to Places of good Feeding: And sometimes the Hart will lie in the Tusks of White-thorn, sometimes under little Trees, and other Times under great Trees in the high Woods, in the Skirts of the Forest, and under the Shelter of little Groves. So that according to the Coverts which are in the Forest, the Huntsman is to make his Enquiry; and must have his Ring-walk great or small, in Proportion to the Largeness of the Harbours or Coverts.

The

The Compleat Sportsman. 83

The Haunts or Feeding-places of the Hart are very various, according to the Seasons of the Year, they changing their Manner of Feeding almost every Month. In *January*, *February*, and *March*, they leave Herding, keeping not above four or five in a Company; and they'll frequently feed on the Winter Pasture in the Corners of the Forest; and when Wheat, Rye, &c. appear above Ground, they are very inclinable to make Incurfions into the neighbouring Corn-Fields.

In *April* and *May* they rest in their Thickets, and other Bushy and Shady Places. In *June*, *July*, and *August*, they are in their Pride of Grease, and resort to spring Copices near Corn-Fields. In *September* and *October* they leave their Thickets, and go to Rut; during which Season they have no certain Place either for Food or Harbour. This Rutting-season continues'till *December*, when they herd together, and withdraw themselves into the Strength of the Forests, to shelter themselves from the cold Winds, Frosts, &c. and feed on Haws, green Boughs, &c. and in a severe Season of Snow they'll peel the Trees, like unto the Goat.

Some Harts are so cunning, that they have two several Laysr to harbour in, a considerable Distance from each other; to which they frequently shift themselves for greater Security, always taking the Benefit of the Wind.

The Matter whereof the Horns of Deer consists is dry and earthy, like the Substance of green Leaves, which have a yearly Fall, for want of a Continuance of Moisture to effect their Duration. And they are not rooted upon the Scull, but only within the Skin. The new Bunches

*Of casting
the Head,
Names of
Deer, &c.*

84 *The Compleat Sportsman.*

Bunches swelling up towards the Spring, thrust off the old Horns, by the Assistance of Boughs of Trees, &c. And when they have lost their Horns, in the Day-time they hide themselves in the Shade, and feed only in the Night, not forsaking their solitary Dwellings till their Velvet Heads increase in Strength, and they have sufficiently tried their new Horns against large Trees; and when on such Trial they feel no longer Pain, they betake themselves to the Company of their Fellows.

The Time of casting their Heads is about the Months of *February* and *March*; but the old Hart casteth his sooner than the young ones. Having cast their Heads, the old Deer immediately withdraw to some Thickets furnish'd with good Water and strong Feeding, near Wheat or Pease sown, if they can: But the young Harts never betake themselves to the Thickets 'till they have born their Head, in their fourth Year.

In *March* and *April*, after they have mewed, they will begin to button; and as the Sun increases in Strength, and the Season of the Year puts forward the Crop of the Earth, so will their Heads increase, and about the Middle of *June* be full summ'd.

It has been observ'd, that if you geld a Hart when he hath a Head, he will never after cast it; and if you geld a Hart before he hath an Head, he will never bear any.

The Diversities of Heads, according to Hunters Terms, are as follows: The first Head is called a Crown-top, because the Croches are ranged in Form of a Crown. The second Head is called a Palm'd-Top, by reason the Croches are form'd like a Man's Hand. All Heads which bear not above three or four, the Croches where-
of

of are plac'd aloft, and all of one Height, in Form of a Cluster of Nuts, are call'd Heads of so many Croches. Those Heads which bear two in the Top, or have their Croches doubling, are call'd Forked-Heads. And those Heads which have double Burs, or the Antliers, Royals, and Croches turn'd downwards, contrary to their Heads; these only are call'd Heads.

The Bur is next the Head; and that which is about the Bur is call'd Pearls. The first is call'd Antlier, the second Surantlier; and all the rest which grow afterwards, until you come to the Crown, Palm, or Croche, are call'd Royals and Sur-royals: The little Buds or Broches about the Top are call'd Croches.

That which beareth the Antliers, Royals, and Tops, is call'd the Beam; and the little Streaks therein are call'd Gutters: That which is about the Crust of the Beam is term'd Pearl; and that which is about the Bur it self is form'd like little Pearls.

For the Names of Deer: A Hart is call'd the first Year a Hind-Calf, or Calf; the second Year a Knobber; the third Year a Brok; the fourth Year a Staggar; the fifth Year a Stag; and the sixth Year a Hart. And at one Year old the Hart has nothing but Bunches; at two Years the Bunches appear larger and more perfect; at three Years they grow into two Spears; at four Years they grow into three Spears; and so increase in the Branches every Year, 'till he is arriv'd to six Years of Age: And after that Time the Age is not certainly to be discover'd by the Head.

The Hind is call'd the first Year a Calf; the second Year a Hearse, or Brock's Sister, &c. and the third Year a Hind.

86 *The Compleat Sportsman.*

The Buck is called the first Year a Fawn; the second Year a Pricket; the third Year a Sorel; the fourth Year a Sore; the fifth Year a Buck of the first Head; and the sixth Year a Great Buck.

The Doe is called the first Year a Fawn; the second Year a Teg, and the third Year a Doe.

The Roe is called the first Year a Kid, the second Year a Gyrle; the third Year a Hemuse; the fourth Year a Roe-buck of the first Head; the fifth Year a Roe-buck.

The Fox is call'd the first Year a Cub; the second Year a Fox. The Marten is likewise call'd the first Year a Cub; and the second Year a Marten. And the Hare is call'd the first Year a Leveret; the second Year a Hare; and the third Year a Great Hare.

The Hind commonly carries her Calf eight or nine Months; and some of them have two at once: They fall in *May*. And Harts and Hinds are very long liv'd; it is said they will live near a hundred Years.

One Male is sufficient to cover several Females: And at their Time of Rutting, in *October*, and also in *May*, they are so intent upon their Sport, that it is dangerous for any Man to come near them; for they will at this Season make at any living Creature. The older the Hart is, the hotter, and the better belov'd by the Hinds: But when a Month or six Weeks is past, they grow tamer, and retire to their solitary Places, the Female, after she is filled, never keeping Company again with the Male until she is deliver'd.

The Nature and Property of the *Buck-Hunting*. Buck differs very little from the Hart.

But in hunting the Buck 'tis observ'd, that he oftentimes betakes himself to such strong Holds
and

The Compleat Sportsman. 87

and Coverts as he is most acquainted with, not flying far before the Hounds, nor crossing nor doubling, or using such Subtilties as the Hart is accusom'd to do.

The Buck will beat a Brook or River not very deep; but he cannot stay so long at the Soil as the Hart will do. And Bucks love not one another, nor will they come near each other's Layr.

There is not so much Art and Skill requir'd for the lodging a Buck, as in the harbouring a Hart; neither is so much drawing after necessary: You are to judge by the View and Mark what Covert he entereth; wherein you will observe that he will not wander so much as a Hart, nor so frequently change his Layr.

The greatest Difficulty a Huntsman has to encounter in hunting a Buck is, to guard against hunting counter or change; for amidst the Plenty of Fallow Deer, they come more directly upon the Hounds than the Red Deer will do.

The Buck delights to lye in Hilly Places, but to feed in the Dales: He herds more than the Hart, and lieth in the driest and most healthy Ground. But if your Bucks are at large, not confin'd within the Limits of a Park, they will (by reason of the Flies) herd but little from *May* to *August*.

In their Horns, the Buck varies very little from the Hart: The Quantity makes the greatest Difference; and they grow out of their Heads like Fingers out of the Hand: Such is this Fallow Deer.

The Colours of the Buck are various: But they are most commonly branded or sandy, having a black List along the Back; their Bellies and Sides spotted with White, which they
late

88 *The Compleat Sportsman.*

lose by their old Age. And the Does differ in Colour more than the Buck, being sometimes all White, and like unto Goats, except in their Hair, which is shorter.

And there is a great Variety of Colours amongst these Deer, such as White, Black, Spotted, Roan Colour, Poy'd, &c. which make a beautiful Mixture in the Gentleman's Park.

Laws and Statutes relating to Deer. The Statute of 5 Eliz. cap. 23. gives treble Damages for unlawful Hunting in Parks, &c.

And by the Statute of 13 Car. 2. it is enacted, That if any Person shall course, kill, hurt or take away any Red or Fallow Deer in any Ground where Deer are kept, without the Consent of the Owner or Person entrusted with the Care thereof, or shall be aiding or assisting therein, being convicted by the Oath of one Witness before one Justice of Peace, he shall forfeit 20*l.* one Half to the Informer, and the other Half to the Owner of the Deer; to be levied by Distress: And for want of Distress, the Party to be committed to the House of Correction for six Months, or common Goal for a Year; and afterwards be bound to the Good Behaviour for one Year. But none punished by this Act shall incur the Penalty of any other; and the Prosecution is to be within six Months.

By the Statute of 3 & 4 W. & M. cap. 10. if any Person in the Night-time shall pull down or destroy the Pales or Walls of any Park, Forest, &c. or other Ground enclosed, wherein Red or Fallow Deer are kept, he shall be committed to the Prison for three Months.

The Statute of 3 & 4 W. likewise enacts, That if any Person shall unlawfully course or hunt Deer in any Forest, Park, &c. without
Consent

Consent of the Owner, he shall forfeit 20 *l.* And if any Person shall take them with Toils, kill, wound, or carry away Deer in or from any Park, he shall forfeit the Sum of 30 *l.* for every Deer, to be levied by Distress, and divided into three Parts, one whereof to go to the Informer, another to the Poor, and the other to the Owner of the Deer. And if no Distress can be found, the Party offending shall be imprison'd for twelve Months, and stand in the Pillory in the next Market-Town. Aiding and assisting likewise incurs the same Penalty; and lending Dogs to kill Deer, or Horses to hunt and carry them away, is declar'd to be assisting.

By the same Statute, one Justice of Peace is empower'd to issue out his Warrant to a Constable, &c. when Information is given that Deer are stolen, to make a Search as for any stolen Goods; and such Constable may enter and search the Houses of suspected Persons: And if he discovers any Venison, or Skins of Deer, or Toils, he is to carry the Party before the Justice; and if the Party do not there give a good Account how he came by the same, and produce the Party of whom bought, or prove the Sale upon Oath, he shall be convicted of the Offence, and be subject to the Penalties for killing of Deer.

Where any Person is convicted of Deer-stealing, no *Certiorari* shall be allow'd to remove the Conviction, or other Proceeding, until the Party convicted shall enter into Bond of 50 *l.* Penalty to the Prosecutor, with Sureties to be approv'd by a Justice of Peace, to pay full Costs, if the Conviction shall be confirm'd within a Month after such Confirmation, or a *Procedendo* granted.

90 *The Compleat Sportsman.*

It is Felony to steal Deer, Coneys, &c. when they are reduc'd to Tamenefs: But to take them in the Park or Warren of any Person is no Felony, by reason they are there *Fera Naturæ*.

If any Forester or Keeper of a Park shall take any Person hunting without lawful Authority, or find any Person within the Forest, &c. furnish'd with Greyhounds, &c. to kill Deer intending to offend there; he may arrest and imprison him, and the Offender shall not be deliver'd without special Warrant. But in the last Case he is bailable, if not taken in the Manner, as with a Bow ready to shoot at Deer, drawing a Dog to recover it, carrying away Deer kill'd, or is besmear'd with Blood. *Stat. 1 Ed. 3.*

Every Lord of Parliament, both Spiritual and Temporal, sent for by the King, may in coming and returning kill a Deer, or two, in the King's Forest, Chace, or Park, through which he passeth. But this ought not to be done privately, but by the View of the Forester, if present; and if absent, by causing one to blow a Horn for him, otherways he may seem to steal the Deer. *Chart. Forest. c. 11.*



A Concise ABRIDGEMENT of the
FOREST-LAWS.

A Forest is the most noble Conservatory for Game, and contains a Circuit of Woody Grounds and Pastures, known in its Bounds, and priviledged by Royal Authority, for the secure keeping of Beasts of Chace. *Co. Littl. fo. 233.*
And

And it differs from a Park in many Respects, as in having Laws for its Government, &c. and particularly in that it contains the King's Game, and a Park only that of a Subject.

A Chase is much like unto a Forest, (*viz.*) a large Quantity of Ground privileg'd for Wild Beasts, but lying open. *Kelw.* 14, 15. And a Forest in the King's Hand, is no more than a Chase when in the Hands of a Subject. *Crompt. Jur.* 148. But Chases that never were Forests cannot have any Purlieu. *Co. 4 Inst.* 303.

Purlieus are certain Lands adjoining to Forests, which in ancient Times were Part of the Forest, but have been since disafforested. And in any Purlieu a Man may lawfully hunt as far as his Ground extends; for the Wild Beasts belong to the Purlieu Man so long as they remain in his Grounds, and he may lawfully kill them.

If a Purlieu Man chase Deer with Greyhounds, and they fly towards the Forest, he may pursue them to the Bounds of the Forest, then using his utmost Endeavours to take off the Dogs from the Pursuit; and if the Dogs follow the Deer nevertheless in the Forest, and kill the King's Deer there, this is no Offence, if the Owner doth not enter into the Forest, nor meddle with the Deer kill'd. And if the Dogs, fastening upon the Deer before they recover the Forest, are dragg'd into the Forest by the Deer, the Purlieu Man may in this Case follow his Dogs, and justly taking the Deer. *Co. 4 Inst.* 303.

Though the Purlieu Man hath a Power to hunt on his own Ground, yet the Ranger of the Forest may, as often as any Deer shall resort to the Purlieu, be permitted with his Hound to come and rechase them back again; and that notwithstanding these Purlieus are absolutely disafforested. *Co. ibid.*

The

92 *The Compleat Sportsman.*

The Charter of the Forest of *Canutus* the *Dane*, King of *England*, granted at *Winchester* in the Year 1062, being very particular, and for its ancient Date a Curiosity worthy communicating to my Readers, I here present you with it.

*The Charter
of Forest,
granted by
K. Canutus.*

I. There shall be from henceforth four of the best of the Freemen, who have their accustom'd Rights secur'd, constituted in every Province of the Kingdom, to distribute Justice, together with due Punishment, as to the Matters of the Forest, to all People throughout the whole Kingdom; which four Persons shall be called the Chief Men of the Forest. And these are now called Verderors.

II. There shall be under every one of these four one of the middle Sort of Men, who shall take upon them the Care and Charge as well of the Vert as the Venison. And these Persons are at this Time called Regardors.

III. But such Persons are not to concern themselves in the Administration of Justice; though after their taking upon them the Care of the Beasts of the Forests, they shall be reputed Freemen.

IV. Under every one of these shall be two of the meaner Sort of Men, Foresters, (now call'd Keepers) to take Care of the Venison by Night, and undergo other servile Offices.

V. Such mean Servant shall be free as soon as he takes his Place in the Forest, and be kept at the King's Charge.

VI. Also every one of the Verderors shall have every Year two Horses, one with a Saddle, and another without, one Sword, five Lances, one Head-piece, one Shield, and two hundred Shillings in Silver.

VII. Every

The Compleat Sportfman. 93

VII. Every one of the Regardors to have one Horſe, one Lance, one Shield, and ſixty Shillings in Silver.

VIII. Every one of the Keepers one Lance, one Croſs-Bow, and fifteen Shillings of Silver.

IX. That all them, as well Verderors, Regardors, and Foreſters or Keepers, ſhall be free from all provincial Summons and popular Pleas, and from all Taxes concerning the Wars, and from all foreign Complaints.

X. That the Cauſes of the Regardors and Foreſters, and their Correſtions, as well Criminal as Civil, ſhall be adjudged and decided by the Wiſdom and Diſcretion of the Verderors: But the Crimes of the Verderors to be puniſhed by the King.

XI. The four Verderors ſhall have a Royal Power, and four Times in the Year hold the general Demonſtrations of the Foreſt, and the Forfeitures of Vert and Veniſon, where they ſhall all of them hold Claim or Challenge of any Thing touching the Foreſt, and ſhall proceed to a threefold Judgment, the Party taking with him five others. But the Purgation of Fire ſhall not be admitted, unleſs the Truth cannot otherwiſe be diſcover'd.

XII. But a Freeman (if his Crime be not *inter mariota*) may have an honeſt Man to take an Oath for him; and if he hath not ſuch a Perſon, he ſhall be obliged to ſwear himſelf.

XIII. If a Stranger or Foreigner be challeng'd of the Foreſt, and his Circumſtances are ſo mean that it is not in his Power to procure a Pledge to his firſt Challenge, then he ſhall undergo the King's Caption, and there he ſhall ſtay until he ſuffers the Judgment of Iron and Water. But yet if any Perſon ſhall offer Violence to a
Foreigner

94 *The Compleat Sportsman.*

Foreigner that is an Offender, he that injures him shall have the Judgment executed upon himself.

XIV. Whosoever shall before the Verderors of the Forest be guilty of Perjury, and thereof be convicted, shall be incapable for ever afterwards to be a Witness, or give his Testimony in any Cause: He shall lose the Benefit of the Law, and pay ten Shillings for the Use of the King.

XV. Whosoever shall offer any Violence to the Verderors of the Forest, if he be a Freeman, he shall forfeit his Liberty and all that he hath; and if he be a Villain, his Right-hand shall be cut off.

XVI. And if any shall offend again in the like Nature, he shall suffer Death.

XVII. In like Manner, if any Person shall contend in a Suit with either of the Verderors, he shall forfeit his Substance to the King, and pay to the Verderor 40s.

XVIII. If any Person shall commit a Breach of the Peace before the Regardors of the Forest, he shall forfeit 10s. to the King.

XIX. Whosoever shall strike any of the Regardors of the Forest in Anger, shall be liable to the same Forfeiture as for killing a Royal Beast of the Forest.

XX. If any Person shall be taken offending in the Forest, he shall suffer Punishment according to the Manner and Quality of his Offence.

XXI. The Punishment and Forfeiture shall not be the same of a Freeman, as of one that is not free; of a Master and Servant; of one that is known, and one that is not known: Nor shall the Management of Causes, either Civil or Criminal, of the Beasts of the Forests, and of the Royal Beasts of the Vert, and of the Veni-
son

The Compleat Sportsman. 95

be one and the same: For the Crime of poaching hath been always deservedly ranged amongst the greatest Offences that can be committed in the Forest; but that of Vert is esteem'd more criminal, that the Forest Law scarcely takes Notice of it: Nevertheless, he that offends therein is guilty of a Trespafs in the Forest.

XXII. If any Freeman shall course or hunt a Beast of the Forest, so that by the Swiftness of the Course the Beast pants, and is put out of breath, such Freeman shall forfeit 10 s. to the King; and if he be not a Freeman, he shall forfeit double.

XXIII. But if the first shall kill any Beast of the Forest, he shall pay double, the second Time as much, and the third shall forfeit as much as he is worth to the King.

XXIV. And if any or either of them by Course or Hunting force a Royal Beast or Stag to pant, and be out of Breath, the Freeman shall be deprived of his Liberty for a Year, and the other for two Years; but the Bondman shall be esteem'd an Out-law.

XXV. But if such a Royal Beast be kill'd by any of them, the Freeman shall lose his Freedom, and the other his Liberty, and the Bondman his life.

XXVI. Bishops, Abbots, and Barons, shall not be challeng'd for hunting in the Forest, unless they kill Royal Beasts; but if they kill such, they shall make Satisfaction at the Pleasure of the King.

XXVII. There are some Beasts, besides Beasts of the Forest, which are to be accounted for by the Laws of the Forest, while they are within the Limits thereof, (*viz.*) Wild Goats, Hares, and Coneys. And there are also a great number of Cattle, within the Limits of the Forest.

96 *The Compleat Sportsman.*

rest, under the Care of the Regardors, which cannot be reputed Beasts of the Forest. And Foxes and Wolves, they are neither reckoned as Beasts of the Forest, or of Venery; and therefore whoever kills them is not liable to any Forfeiture: Nevertheless the killing them within the Limits of the Forest, is a Breach of the Royal Chase, and the Offender shall make a small Recompence or Acknowledgement of the same. But a Wild Boar, notwithstanding he is a Beast of the Forest, was never esteem'd a Beast of Venery.

XXVIII. No Man shall touch or meddle with the Wood or Underwood of the Forest without Licence of the Verderors; and if any offend herein, it is a Breach of the Royal Chase.

XXIX. But if any Person shall cut down a Holly-Tree, or any other Tree that produces Food for the Wild Beast, besides making Satisfaction for the Breach of the Royal Chase, he shall forfeit to the King the Sum of 20*s*.

XXX. It is ordain'd, that every Freeman shall take Venison or Vert upon his own Grounds (being out of the Chase) at his Pleasure.

XXXI. No Man of mean Condition shall keep any Greyhounds. But Freemen may keep such Dogs, provided their Knees are cut before one of the Verderors of the Forest, or without cutting their Knees, provided the Dogs are kept ten Miles from the Limits of the Forest. But if the Greyhounds shall be brought any nearer to the Forest than that Distance, the Owner shall pay 1*s*. for every Mile. And if any of the said Dogs be found within the Precincts of the Forest, the Master shall forfeit his Dog, and 10*s*. in Money.

XXXII But

XXXII. But the little Dogs, which manifestly appears there is no Danger from, it shall be lawful for any Person to keep without cutting their Knees.

XXXIII. But if it happens that such Dogs become mad, and run at large by the Negligence of their Masters, this is unlawful, and the King shall be recompenc'd for the Damage, &c. But if they shall be taken within the Precincts of the Forest, the Owners shall be found out, and pay a Penalty of a mean Man, which by an antient Law is two hundred Shillings.

XXXIV. If a mad Dog shall bite a wild Beast of the Forest, the Owner thereof shall make Recompence according to the Price of a Freeman, which is twelve Times a hundred Shillings. But if a Royal Beast shall be bitten by such mad Dog, the Owner shall be guilty of the greatest Crime.

These were the Laws of *Canons*, who was the first, that set Bounds and Limits to Forests; and they were afterwards confirm'd by St. Edward the Confessor, William the Conqueror, Henry I. Henry II. and Henry III. who made the famous *Charta de Foresta*. I now proceed to such Informations which may be necessary, and worthy the Knowledge of a Sportsman, from the several Forest-Laws to this Time.

And first, a Forest being made and Officers appointed, there are (besides *Courts of certain proper Laws*) Courts which *the Forests* are incident to, and inseparable from the same, as a Court Baron is incident to a Manor, a Court of Piepowders to a Fair, &c.

These Courts are, the Court of Attachment; the Court of Swainmote; and the Court of the Lord Chief Justice in Eyre.

The Court of *Attachment* (in ancient Times call'd the Woodmote Court) is held by the Charter of the Forest, to redress Injuries done to the Vert or Venison; but it is only a Court of Enquest, for an Offender cannot in this Court be convicted, neither can he be attach'd by his Body, unless he is actually taken committing the Offence in the Forest; but by his Goods he may be attach'd. *Inst.* 289.

This Court, by *Chara de Foresta*, is to be kept once every Forty Days throughout the Year; and if it be kept at any other Time, either sooner or later, the Proceedings are void.

If any Offence be committed in the Forest in relation to Underwood, &c. or the Vert, the Offender may be attach'd by his Goods to appear at the next Court of Attachment, in the same manner as the Sheriff makes an Attachment, at Common Law, to appear at the Tourn or County Court. And when the Attachment is made, the Forester is to acquaint the Owner of the Goods therewith, for what Cause it is done; and to summon him to appear at the next Court of Attachment, there to find Pledges to answer, &c.

The Forester is to keep the Goods attach'd until the next Court, when he is to expose them to the View of the Verderors, and to present the Offence. If the Defendant doth not then appear, the Goods attach'd are forfeited, and shall be sold for the Use of the King; and the Offender shall be attach'd a second and a third Time, and so *ad infinitum*, until he appears and gives Security to answer at the next Court of the Justice in Eyre, and then his Goods are to be delivered up to him.

These Attachments of Goods are made for all manner of small Trespasses, where the Defendant is not actually taken committing the Offence; and

if the Defendant be taken in the Offence, the Forester is to attach his Body, and bring him before the Verderors at the Court of Attachment, there to find Sureties to answer before the Chief Justice in Eyre.

Where any Person shall make *Affarts* or Purprestures in the King's Lands or Woods, there the Forester may attach the Body of the Offender, and compel him to produce Pledges to answer the Offence at the next Court of Attachments; and upon his making his Appearance there, he is to be mainpriz'd until the coming of the Justice in Eyre.

Where the Value of the Trespass is above 4 *d.* it must be enroll'd in the Court of Attachment by the Verderors, and sent from thence to the Court of Swainmote, to be tried there according to the Laws of the Forest; but if the Trespass is under the Value of 4 *d.* the Court of Attachment may determine the same; wherein the Verderors are to assess a Fine, and cause the same to be levied for the Use of the King, making an Entry thereof on the Rolls.

The Court of *Swainmote* is a Court held within the Forest, to which all the Freeholders owe Suit and Service, as the Tenants to a Lord of a Manor in a Court-Baron: These Courts of Swainmote are to be held three Times in a Year, *viz.* Once fifteen Days before the Feast of *St. John* the Baptist; Once fifteen Days before *Michaelmas*; and the third Court to be held about the Feast of *St. Martin* in the Winter. The Verderors are Judges of this Court, but at every Court there must be a Steward learned in the Laws of the Forest. *Affis. Forest. c. 22.*

Presentments of Offences in Vert and Venison, are to be made in the next Swainmote before the Verderors, Regarders, Foresters, Agistors and other
F 2 Ministers

Ministers of the same Forest, &c. and Indictments made in any other manner, shall be void.

And by the Statute 1 Ed. 3. c. 8. the Freeholders and all other good and lawful Men of the Forest, are to appear at this Court, and make Inquests, Juries, &c.

The Steward generally gives in Charge at this Court, several Offences, *viz.* Selling Acorns, Agistments to the prejudice of the Deer, Assaults, Deer kill'd without-Warrant, Dogs not taken up passing through the Forest, Extortions of Officers, Fences neglected, whether any Hares kill'd in the Forest, Hogs in the Forest not ring'd, the Number put in, Hunting, Inclosing any part of the Forest, Meers, Mills out of Repair, Mines, Nets kept by Persons, Pounding Cattle, Purlevies, unlawful Hunting there, Purprestures, Sheep, Suit and Service, Surcharge of the Forest, Timber fell'd, Vert, felling Oaks, &c. Waifs and Strays, Ways, Warrants executed, &c.

Offences committed in the Purlevies, may be tried in this Court, but no Judgment is to be given, or Execution awarded, 'till determined at the Court of the Justice in Eyre. 4 Inst. 289.

The Court of *Justice-Seat* is a Court held by the Chief Justice in Eyre of the Forest; and it cannot be held oftner than every third Year, when the Presentments of the Court of Attachment and Indictments of the Swainmote, enter'd on the Rolls by the Verderors, and seal'd with their Seals, are to be presented to the Chief Justice.

The Chief Justice of the Forest is an Officer of great Honour and Authority; and the Office is to be executed by, a Peer who is a Privy Counsellor. When he is made Chief Justice in Eyre by the King's Commission, he has in all Cases, Power equal to any other Justice of Oyer; and he can
punish

punish all Trespasses of the Forest, according to the Laws of the Forest, determine Claims of Liberties, Franchises, &c. But if a Justice-Seat suffer any Injustice, or permit Claims where they ought not, the Record may be removed by *Certiorari* into the King's Bench, and be determined there.

The Justices of the Forest are to punish Offenders indicted at the Swainmote, being presented before them at the Sessions, by Fine and Imprisonment at their Discretion. And Justices in Oyer, and Justices of Peace, and all other Justices, but the Justices of the Forest, are prohibited to hear and determine Offences of the Forest. *Charta Forestæ*, c. 16.

Trespasses committed in a Forest, are to be tried only by the Justices of the Forest, and are punishable only by *Charta Forestæ*; the Forest-Laws being appointed for that Purpose, and differ from all other Laws. 21 H. 7.

The Court of Justice-Seat, may punish Misbehaviour or abusive Words, by imposing a Fine. And at a Court of Swainmote when a Presentment was made of Trees felled, the Party declared in the Court, that the Business was carried against him with a high Hand, that when the Prosecutors had done, he would have the Matter heard in another Place and stick close to them, &c. for which he was fined 100 l. and committed until he paid it. Sir Cha. Howard's Case, *Jones's Rep.* 274.

When a Court of Justice-Seat is to be held, the Chief Justice issues out his Warrant or Precept, to the Sheriff of the County in which the Forest lies, requiring him to summon all Archbishops, Bishops, Earls, Barons, Knights, and others their free Tenants, who enjoy any Lands or Tenements within the Bounds of the Forest: And also to summon four Men and the Reeve, and out of every

ancienr Borough within the Limits of the Forest, twelve good Men and other Freeholders, who ought to appear before the Chief Justice in Eyre, to compel them to make their Appearance accordingly upon a particular Day.

The Sheriff is likewise to make Proclamation in the severall Boroughs, Towns, Fairs, Markets and other publick Places throughout the County, That all Persons who claim to have any Grants of Liberties, Franchises, or free Customs in the Forest, shall appear before the Chief Justice in Eyre, or his Deputy, at the said Day and Place, to set forth the Extent of their Liberties; and that all Persons who are attached for Vert or Venison in the Forest since the last Court, and all Pledges and Manceptors who were bound to appear, that they shall appear accordingly.

This Proclamation made by the Sheriff, of the holding this Court, is to be made forty Days before the same is held.

Before the holding of the General Sessions, the Chief Justice is likewise to issue out a Writ directed to the Sheriff, with a short Abstract of all such Matters, as the Regarders of the Forest are to inquire into, annexed to it; and when the Regarders have made their Range, and affirmed at the Swainmote or Court of Attachments, all such Things which they found in their Survey, they are to present the same to the Chief Justice in Eyre.

When the Justice in Eyre, and those in Commission with him, are come to the Place appointed for holding of the Court, the Commission is to be first read, then the Officers are to be called, and the Lists of Names of the Freeholders, and all other Persons who were summoned to appear, are to be called over: Then out of the Freeholders

and other substantial Persons present, there must be chosen a Jury of 24, 20, or 18, who are to have Oaths administred to them, to inquire and true Presentment make of all such Things which shall be given them in Charge.

The Charge to the Jury, and Precedents of Warrants, Precepts, &c. you'll find at large in *Manning's Forest-Laws*.

There is but one Chief Justice on this Side Trent; and the Court of Justice-Seat is commonly held by Deputy. *Anno 10 Car. 1.* the Earl of Holland Chief Justice in Eyre appointed Mr. Justice Jones, Baron Trevor, and Serjeant Bridgeman, Deputies, to hold a Justice-Seat at *Dean* for the Forest of *Dean* in *Gloucestershire*; but the King generally appoints Associates to the Chief Justice.

The *Chief Warden* of the Forest is a great Officer, and is next to the Justice of the Forest, to bail and discharge Offenders; he may likewise keep a Deputy, but he is no judicial Officer. The Constable of the Castle where a Forest is, is always of Course the Chief Warden of that Forest, by the Laws of the Forest.

A Verderor of a Forest is a judicial Officer, elected in the County-Court of the Shire where the Forest is situated, by Vertue of the King's Writ; when he is chosen, he has an Oath administred to him by the Sheriff. to maintain and keep the Assizes or Laws of the Forest, and also to inspect, receive and inroll, and certify all Attachments, Presentments, &c. of Trespasses relating to Vert and Venison committed in the Limits of the Forests.

His Office in other Particulars, is much like unto that of a Coroner, in respect to Beasts of the Forest; for if he finds any wild Beast killed or wounded in the Forest, he is to go and view the

the same, and cause an Inquisition to be returned by a Jury of twelve Men, chosen from the best Towns in the Forest, how such Beast was taken or wounded; as a Coroner does when a man is slain.

A *Regarder* is an Officer sworn to view and enquire of all Offences committed in the Forest of all Concealments, Defaults of Foresters, and other Officers of the Forest, &c. And there are three Sorts of them, *viz.* one made by the King by Letters Patent, whereby the said Office is sometimes granted in Fee, but commonly for a Term of Years; Another Sort appointed by the Lord Chief Justice in Eyre, or by Writ directed to the Sheriff; and a third Sort of Regarders are to exercise their Offices only during the Pleasure: And a third Sort of Regarders for the present Service of the Court of Swainmote or appointed to serve at some other Time in the Absence of another Regarder that is sick or otherwise disabled to execute his Office.

A *Forester* is an Officer constituted by Letters Patent, to hold the Office either in Fee, (which is to pay a yearly Fee-Farm-Rent) for Life, *vante beneplacito*; and sometimes a Forester is appointed to his Office by Prescription: His Business is to pursue the Vert and Venison within his Walk; to apprehend Trespassers, and present the Offenders and attachments at the Courts of Attachment at Swainmote.

This Officer hath commonly Servants under him to execute the Office in looking after the Forest and taking Care of the Deer therein, which is called the Appellation of Under-Foresters or Keepers. And every Forester when he is first called, is to deliver his Horn to the Chief Justice in Eyre on his Knees.

An Agistor is an Officer that attends upon the King's Woods and Lands in the Forest, to receive and take in the Beasts and Cattle of Persons, being Inhabitants of the Forest, to have Common and Herbage at certain Rates and Prices for the Use and Profit of the Kings; and this taking in of Cattle is called Agistment.

A Ranger is not properly a Forest-Officer, but he is a considerable Officer belonging to the Forest; his chief Business is to determine Matters relating to Venison coming out of the Forest into the Purlicues.

Ministers of the Forest shall not be put upon any Assise, Jury or Inquest, *Laws and* to be taken out of the Bounds of *Law Cases,* the Forest. 34 E. 1.

No Constable or Bailiff shall hold Pleas of Forests for Green Hue, or Hunting, but the Forester shall attach such Pleas, and present them to the Vetderors of the Provinces, to inrol them and present them under Seal unto the Chief Justice of the Forest. Stat. 9 H. 3.

No Officer of a Forest shall take or imprison any Person without a lawful Indictment; and if any Felony be committed in a Forest, it is said, it shall be inquired into before the Judges of the Common Law, and does not belong to the Chief Justice of the Forest.

By the Forest-Laws whoever receives a Malefactor within the Forest either in hunting or killing of Deer, knowing him to be such an Offender, or receives any of the King's Venison knowingly, is a principal Trespasser: But at Common Law such a Receiver is only Accessary.

If any Person shall take Deer in a Forest, such taking is only a Trespass; but if the Deer be killed by the Forester, and afterwards carried away

by another, it is Felony; and the Offender shall suffer as in other Cases of Felony.

And so in respect to Timber, a Forester was indicted for feloniously cutting down and carrying away several Timber-Trees; though the Judge would not permit an Arraignment for Felony upon that Indictment, because the Trees which are growing are annexed to the Freehold, (of which a Man cannot commit Felony,) yet if the Trees had been cut down by the Proprietor, and then the Forester had carried them away, this would amount to Felony.

And to take and carry away Corn growing on the Ground, Fish in a River, or Pidgeons abroad, is no Felony: But if the Corn be cut by the Owner, and afterwards carried away by another, or Fish be taken after they are put into a Trunk by the Owner, or Pigeons be taken from a Pigeon-House; these Offences are Felony. 12 & 18 H. 8.

Where Felony is committed in a Forest, Hue and Cry may be taken out to pursue the Felon where soever he goes, as after a Felon at Common Law, until he is apprehended and brought to Justice: But if the Offence be only Trespas, *Quere* whether the Forester can pursue the Offender with Hue and Cry, out of the Boundaries of the Forest.

When any Injury is done to the Forest, in hunting and destroying the wild Beasts thereof, and the Offender being detected flies for the same, the Forester or any other Officer, shall forthwith make an Outcry unto the Inhabitants and next Dwellers in the Forest, requiring them in the King's Name, to aid and assist in the Pursuit of the Offender, from Town to Town, Village to Village, &c. within the Limits of the Forest.

If any Person shall neglect or refuse to assist in
the

the Pursuit after Hue and Cry made, the Default of such Person shall be presented at the next Swainmote, and on Conviction according to the Laws of the Forest, he shall be fined ; and a Township or Vill which is faulty, may be fined. *Itin. Lanc. 7.*

If an Offender being pursued with Hue and Cry, shall make any Resistance when apprehended within the Limits of the Forest ; and the Forester or other Persons which come in to his Assistance happen to kill him, they shall not be arraigned for the same, or undergo any Punishment. *Contra* out of the Bounds of the Forest.

The Meets and Boundaries of Forests, are immoveable as the King hath an Interest in them ; and the Officers of the Forest ought to be well acquainted with them, that when they proceed to make their Views, in relation to Devastation of the Woods or Coverts, and inquire into Offences committed, and all such Articles which they are by their Oaths bound to present, they may make legal Inquisitions, and proceed in their Offices with Safety : These Boundaries are known either by Prescription or by Matter of Record.

By the Statute of 17 Car. 1. c. 16. the Meets, Limits, Meers, and Boundaries of all Forests, shall be taken, adjudged, and deemed to extend no farther than commonly reputed, known, used, or taken to be, &c. in the 20th Year of King James I. and not beyond in any wise ; any Perambulations, &c. to the contrary notwithstanding.

A Dwelling-house or Mill that is a Mark of the Forest, the King hath no Interest in, by Reason these are no Covert or Relief for the wild Beasts : But a Man may not fish in a River, which is a Boundary or Meer of the Forest, without a Warrant for that Purpose, because 'tis Parcel of the Forest. And if any Person shall hunt or kill the King's
Deer

Deer in any River, Highway, &c. being an inclusive Boundary of the Forest, the Offence is equal to killing Deer in the Midst of the Forest, though the Interest in the Soil of the Highway belongs to another Man. *Affizes of Pickering, Anno 8 Ed. 3. 2 Inst. 318.*

Persons may hunt the Hare and keep Spaniels within the Liberties of the Forest, on laying Claim to such Privilege; but without Claim it is unlawful.

Mastiffs expeditated, and little Dogs, may be kept in a Forest; but no other Dogs, without such Claim, or by Vertue of a Grant from the King, or the Owner of the Forest.

The Regarders of the Forest are every third Year to see what Dogs are expeditated, and what not; and if there appears upon Examination to be any Dogs not expeditated, the Regarders are to present the same, with the Names of the Owners: Whereupon the Dogs are to be produced, and expeditated by Persons appointed in the Court of Swainmote, and the Owners shall be amerced 3 s.

The Regarders have an absolute Power on the View and Inquisition of expeditating Dogs, for they may assess the Fine themselves; and upon their Presentment certified, and returned of Record before the Verderors, the Fine may be levied presently.

If a Man is indicted for keeping a Dog in the Forest not expeditated, and he pleads, That 'tis not his Dog, this is not a good Plea, without setting forth the Property to be in some other Person.

The Manner of expeditating Dogs, is to cut off three Claws of the Fore-feet by the Skin, with a Chizel; by this Means the Dogs will be incapable of hurting the Deer; and Dogs which are allowed to be kept in the Forest, must be such which are

not able of themselves to injure the wild Beasts of the Forest; though there is no Law to expeditate Greyhounds.

In respect to the keeping of Beasts in a Forest, if a Man who hath Common appendant or appurtenant in a Forest for a certain Number of Beasts, doth common there with more than his Number, then he surcharges the Forest, and is a Trespasser punishable by the Laws of the Forest, as well as the Common Law; for by such Surcharge, the wild Beasts are necessitated to find Pasturage in other Places. *Affis. 22. p. 65.*

All Manner of Beasts are commonable in a Forest, (except Goats, Sheep and Hogs) and every Inhabitant in a Forest who hath Common appurtenant, that is, who can prescribe to the same, in the King's waste Soil, or in the waste Soil of any other, as belonging to his Dwelling-House or his Lands, may have Common in a Forest.

And if the Foresters or other Officers, disturb the Cattle of any Person or Township in taking Common in the Forest, or extort any Money for the same, 'tis finable at the Court of Justice-Seat.

But for a Surcharge of the Common, the Common shall be seized into the King's Hands; for by the Forest-Laws, whoever hath or claimeth any Liberty or Profit in a Forest, either by Grant or Prescription, and abuseth the same, by using it in another Manner than warranted by his Title, this is good Cause of Seizure; but may be restored on Payment of a Fine. *Case of the Prior of Lancaster.*

When the Common of a Forest is so much surcharged, that there is not sufficient Pasture left for the Deer, upon Complaint made by the Officers of the Forest, a Commission will issue out of the Chancery, directed to the King's Lieutenant of the Forest, and the Verderors and chief Foresters there,

com-

commanding them to inquire by the Oaths of twelve Men, into what Number of Acres the Place contains, wherein the Surcharge is represented to be made; and what Number of Beasts are commoning therein, and whose they are; what Parishes, Villages and Hamlets ought of Right to enjoy Common there; how many Messuages and Cottages there are in each of them; and how many Acres of Land do belong to every House: Then by computing the Number of Beasts, the same may well common, so as to leave sufficient Pasture for the Deer, they shall rate and apportion every Man, what Number of Beasts, and of what Species he may keep; and if any Person keeps more he is a Surcharger of the Forest.

If any Person shall assart or inclose any Lands in the Forest out of the King's Lands, held either in his own Fee or in the Fee of any other Man, he shall be fined for the Offence; but on Composition with the King or Chief Justice, and paying a yearly Rent, he may continue the Inclosures. And to make any Encroachment on the King without Warrant, is a Purpresture both by the Forest-Law and Common Law.

To build any House within the Soil or Waste of any Person in a Forest, or if a Man builds a House in the Forest on his own Land, it is a Purpresture and an Annoyance to the Forest and Game; for which the Person is to be fined, or to pay a certain Rent. And if the Land on which Purpresture is made, is granted to another, both the Grantor and Grantee shall be amerced.

Where a Man wrongfully incroaches any Thing to himself in a Forest, either upon the King or upon any other Person, or takes upon himself any Jurisdiction or Franchise there without a lawful Warrant, these are Purprestures.

The Compleat Sportsman. III

By the Laws of the Forest, a Man may sell Firewood, or other necessary Boots, by the View of the Foresters or Verderors; but he may not cut any Timber or other Wood for Sale, without a Writ of *Ad quod damnum*. And if a Man have Freehold in a Chase, he may cut his Timber and Wood growing upon it, without View or Licence of any; but if he selleth so much, that there is not sufficient left for Covert, and to maintain the King's Game, he shall be punished at the Suit of the King.

A Grant of a Park by Letters Patent.

CHARLES, by the Grace of God, King of England, Scotland, France and Ireland, Defender of the Faith, &c. To all to whom these present Letters Patents shall come, Greeting: Know ye, That we of our special Grace and meer Motion have given and granted, and by these Presents do give and grant for us and our Heirs and Successors, unto our well-beloved Subject *A. B.* of, &c. Esq; the Liberty of one Park for wild Beasts, and also free Warren in all his Demesne Lands, of and within his Manor or Lordship of, &c. in the County of, &c. with all Privileges which to such Liberty of Park and Warren do belong or appertain: To have, hold and enjoy, the said Liberty of Park and Warren to the said *A. B.* his Heirs and Assigns in all his Demesne Lands aforesaid, so that no Person or Persons shall enter into the said Lands, to hunt in them, or any Part thereof, or presume to take any Thing in them which belongeth to a Warren, without the Licence and Consent of the said *A. B.* and his Heirs, under the Penalty of, &c. any Act, Statute, or Ordinance to the contrary notwithstanding: In Witness whereof we have caused these

112 *The Compleat Sportsman.*

these our Letters to be made Patents. *Witness*
our self at *Westminster, &c.*

A Warrant for Deer yearly.

K Now all Men by these Presents, That I, Duke of L. Marquis of, &c. Have given and granted, and by these Presents do give and grant unto A. B. of, &c. Gent. one Stag and two Bucks in the Summer, and one Hind and a Brace of Does in the Winter, yearly and every Year to be taken in and from my Parks of, &c. in the County of, &c. or in the Chase of, &c. during my Life. And I do hereby licence and authorize the said A. B. and his sufficient Deputy, yearly during the Term aforesaid, in the Seasons convenient and proper, to enter my said Parks (calling my Keeper or Keepers thereof with him) and there to hunt and kill the said Deer; and them to carry away at his Pleasure, with such a Number of Persons as he shall think necessary. And further, I do hereby order, That if the said A. B. shall not think fit to take upon him the Trouble of going to my said Parks to kill the said Deer, That then my Keeper or Keepers of my said Parks for the Time being, upon an Order signed by the said A. B. for the doing thereof, shall kill and deliver yearly the said Stag and Brace of Bucks in the Summer, and one Hind and two Does in the Winter, as aforesaid, for the sole Use and Benefit of the said A. B. without any Delay or Denial whatsoever. In Witness, &c.

A Warr-

A Warrant for the Killing of a Brace of Bucks.

YOU are hereby required to kill and deliver
unto *A. B. Esq.* one Brace of fat Bucks of
this Season, for which this shall be a sufficient War-
rant. Given under my Hand, &c.

L.

To *C. D.* Keeper of my
Park of, &c.

PART



P A R T I I I .

*Of Fish and Fishing ; the most successful
Methods of Angling ; the only
Baits, Tackle, and agreeable Season
taking all Sorts of Fish ; and the
Places wherein they are to be found,
the L A W S and Statutes relating
to Fishing, &c.*

AS the Sportsman cannot be complete without a tollerable Knowledge in the Art of Angling, I make it the Business of my third and last Part of this Treatise, to inquire into, and fully lay down the Ways and Methods of succeeding in this agreeable Diverſion; ſo that you may not be unacquainted with any one Particular, which may contri- bute to facilitate the Pleaſures of a Country Life.

And in Purſuance of my Method of Angling, throughout this Work, I ſhall begin with the Materials in general neceſſary for the Compleat Angler, ſuch as the Fiſhing Rod, Lines, Hooks, &c.

Your Fishing-Rod for a Ground-Line should be about fifteen or sixteen Foot in Length, nine or ten Foot whereof to be of Cane, wherein a Top of Haste consisting of one or two Pieces, and making five or six Foot in Length is to be placed, and at the End of that a small Piece of round, smooth and taper Whalebone five or six Inches long, is to be fixed with strong Silk well rubbed with Shoemakers-Wax; and at the End of the Whalebone, whip a strong Noose of Hair, or a short Piece of Silk, to fasten your Line to. The Stiffness of the Cane is helped by the Length of the Top; and this Sort of Fishing-Rod is in some Respects more convenient than any other, cemented in one intire Piece; for if your Hook be intangled in Wood, Weeds or other Trumpery at the Bottom of the River, you may take out the Top of your Rod; and instead thereof, fix in a forked Strick of Haste: and follow the Line therewith, until you come to the Hook, when it will loosen.

Your Rod for a running Line in a clear River for Trout, Salmon, &c. and for Fly-Angling, should be of two or three Pieces of Haste, (two if you can procure them of a sufficient Length,) and a Piece of Whalebone about six Inches long, all smooth, round and taper, proportionably fitted to each other, and neatly pieced together with fine Wax-Thread, wherein you are to cut the Pieces for five or six Inches in Length sloopwise, so as at the Places of joining it may be no larger than any Part of the Rod of either Side it. The Month of *December* is the only Time for cutting your Haste-Stocks and Tops, by Reason at this Season they are freest from Sap; and they are to be bound up in Bundles, and put either in a Chimney where there is a moderate Heat, or in some other smoaky Place

to make them tough, for about a Fortnight: Then you are to take them down and set them strait, putting them up in the Chimney again for the like Space as before; and after that, let them continue some Time in a dry Place before used.

Some Anglers prefer Stocks cut out of thick Deal Boards planed, and shot round taper-wise with Pieces of Hask, Eugh, and Whalebone to top and compleat your Rod, which should be seventeen Foot in Length; but these Rods are not to be procured without Difficulty and Expence, and the other Rods I have experienced do full as well.

Your Top for Fly-Angling and for running Lines for Trout, ought to be very gentle in the first Case, to preserve your Lines (which are always very fine for this Fishing.) when you hang a Fish; and in the last Case, that the Fish may more easily and without Interruption run away with the Bait. But your Rods for Perch, Carp, Tench, Roach, Dace, &c. should not be so very gentle; they ought to be pretty stiff, so that the Rod may exactly answer the Motion of the Hand, when you strike; otherwise you will be in Danger of losing your Fish.

For the Length of Fishing-Rods in general, you are to proportion them to the Breadth of the River, but you are always to make Use of a Rod full as long as the River will bear, and to observe that the same be very well mounted, and not the least top heavy.

For the Colour of your Lines, *Of Fishing-Lines.* Hair of a Sorrel, Chesnut or brownish Colour, is the best for Ground-Angling, especially in muddy Waters; they being not only the Colour of the Gravel or Sand, but of the Water also. Your white and grey, or dusky white Hair, is best for clear Rivers; and some use the pale watery Green for
weedy

weedy Rivers in the Summer. Your Hair ought to be chosen from a Stone-Horse or a strong healthy Gelding, of about four or five Years old, from the middle Part of his Dock. And when your Hair is procured, you are to steep it twelve Hours in cold Spring-Water immediately, then wash it very well from the Filth, without straining any of the Hairs, and hang it up to dry three or four Days in your Kitchen, but not too near the Fire; and when it is thoroughly dry, put it either in a Case made of Parchment, a Bag, or Paper, and lay it by in a Box or Desk.

In the making of your Lines, never stretch or strain any of the Hairs before used; for then they will shrink, and not only make your Line irregular but weaken it. Four or five of your lowermost Links are to be of the best Hair, the Hairs of equal Bigness, even, round, and free from Galls, Frets, &c. And many Anglers in Trout Fishing, advise the two Links next the Hook, to consist of three Hairs each; then one Link of four, at Top whereof to have a Water-noose; then Links of four, five, six and seven Hairs to the topmost Link, which is an approved Method in general, where Rivers are stocked with large Trouts. And Hooks are seldom whip'd to any Line, either for Ground or Fly-Angling that exceeds two, three or four Links in Length, having a small Loop or Water-noose to the uppermost Link.

The twisting the Hair even and neat, gives it Strength; for the attaining whereof, work it slowly, and neither too hard nor too slack; and when you have twisted your Links, lay them in cold Water for an Hour, then twist them over again before you tie them into a Line, and your Hairs will not any of them shrink in the using of your Lines. Some Anglers mix Hair and Silk together, but these
Lines

Lines are not generally approved ; either all Hair or all white Silk is esteemed much better.

Your Lines for the Fly ought to be considerably longer than the Rod, which the experienced Angler will easily cast out and manage. The running Worm-Line in a clear River for Trout, Grayling, &c. some Anglers advise to be longer than the Rod ; others approve a Line of equal Length with the Rod, and a third Sort would have it a Yard or two shorter than the Rod, which last I must confess I prefer to either of the former. The Line for running Worms in muddy Water, ought not to exceed half the Length of the Rod. And the Line for Float-Angling, should be as long or rather longer than the Rod for Rivers, but shorter than the Rod for Ponds and standing Waters.

Your Hooks for Fly-Fishing and
Hooks for Fish- for Cod-Bait ought to be generally
ing. small, but larger for Worms ; the

Wire of the Hook should be small, but such as will not stretch ; the Points so well tempered, that they will not become dull with Fishing, but still preserve their Keeness ; let the Hooks be long in the Shank, and of a Compass somewhat inclining to round, but the Point must stand even and streight, and the Bending must be in the Shank.

You are to proportion your Hooks for Strength and Compass, to the Number of Hairs you angle with next your Hook ; and use not a small Hook to great Baits, nor a great Hook to small Baits. Trouts in clear Rivers, Salmon, Smelts, Rock-Dace, Gudgeon, &c. are to be angled for with small Hooks ; Trouts in muddy Waters with great Hooks ; Barbels and Chubs must have large Hooks ; and Pearch, Carp, Tench, Bream and Eels, are to be fished for with Hooks of a less Size, not to large.

When you set on your Hook, (which is stiled Arming, Fixing or Whipping) you are to perform it with small strong Silk well waxed, laying your Hair on the inside of the Hook. Your Hooks for Angling with Worms are generally tied on with red-coloured Silk ; but for Paste, Cod-bair, &c. white-coloured Silk is best. And some use Flax or Hemp, others Hair for this Purpose.

The Hooks made by one *Denton of Yorkshire*, are esteemed the best ; the *London* Hooks are of too thick Wire, and too open bent for a successful Fishing.

So much for Observations in general, relating to Tackle to be furnished by the Angler : I now come to the particular Methods of Fishing ; the best Baits, Seasons, Rivers, &c. for the taking of all Sorts of Fish ; and commence my Informations with the Angling for the Salmon, which is esteemed the King of all Fresh-Water Fish.

Angling for the Salmon.

The Salmon is to be found in large deep Rivers and violent Streams, having gravelly weedy Bottoms, and which empty themselves into the Sea ; they delight in the deepest and broadest Part, and are commonly to be found near the Banks, wherein are hollow rocky Cavities, and sometimes in the Middle of the Stream near the Ground ; they are in their Nature restless, always endeavouring to attain the Spring-Head, so that at some Seasons in the Year no Weirs will keep them back.

There are several Baits prescribed for the taking of this Fish, *viz.* the Worm, the Minnow, the Fly, but the Lob or Garden-Worm well scoured is the only Bait. Your Line ought to be made of white Silk, and your Hook to be large, having
three

three or four small Pistol-Bullets, about twelve or fourteen Inches Distance from the Hook to sink the Bait in the swift Waters. Your Bait is to be about four in Number, of your large Worms drawn on, by taking about an Inch hold of each in the Middle, so that the Ends of the Worms may be at Liberty, and play in the Water, except one to cover the Point of the Hook. When your Fish bites and is struck (wherein you are not to be over-hasty, but to give him Time,) he instantly repairs to the Middle of the River, and there plunges and leaps for some Time, but will not run to the End of the Line like some other Fish, though he will not easily submit. When he is tired, you are to land him either with a small Net, or a large Hook fixed or screwed into a short Stick or Pole.

When this Fish is taken with a Fly or Minnow, it is commonly in angling for Trout. Some use a very long taper Rod, and others a shorter Riff Rod, with a Ring at the Top underneath, to throw out the Line to the utmost Extremity. And with this Rod and a small Smelt or Dace for Bait, after the Manner of Snap-Fishing for the Pike, the Salmon is to be taken, especially in the Month of *September*, when they come up the fresh Rivers to spawn. The Oil of Ivy-Berries, or *Affa-Portida*, by the Strength of their Smells, will make your Baits very tempting: And 'tis said, That Worms kept in a Box anointed with the Oil of Ivy-Berries, are a Bait that will infallibly attract and oblige all Sorts of Fish to bite that are within the Scent of them.

The Months of Fishing for these Fish, are *April*, *May*, *June*, *July* and *August*, when they are in *Season*; and in the River *Wye* in *Monmouthshire* Salmon are in *Season* the whole Month of *September*, though not in the Rivers *Thames*, *Trent*, &c. but the *Thames* Salmon

are generally esteemed of a more nice and delicate Taste than any others. Their best biting Time is about nine in the Forenoon, and three in the afternoon, when the Wind blows against the Stream.

There are several Sorts of Salmon, and all of them most beautiful Fish, especially when alive; they grow very fast, and the Melter is larger than the Spawner. The Spawning-Time begins the latter End of *August* or beginning of *September*, when they resort to the Shoals near the Middle of the Stream, and with their Heads throw up the Gravel, so as to form a large regular Hole, wherein the Spawner lays her Spawn, and upon it the Melter drops his Milk, which being done like ingenious Workmen, they fill Gravel over and level their Works, and then retire to the deep Parts of the River, and afterwards to the Sea.

They labour some Time in the securing of their Spawn, and you may frequently see three or four Salmon of a very considerable Size sporting in their Works together; the Depth of Water they chuse for this Purpose, seldom exceeding three or four Foot. But this is very fatal to the Fish, as it gives an Opportunity to Pochers to spear them in great Numbers; with a Candle and Lanthorn at Night, they will repair to the Surface of the Water, when they are easily destroyed, and in my Opinion the Laws are not severe enough to prevent this barbarous Destruction of these noble Fish.

I have taken many of these Fish in a River near *Remsey* in *Hampshire*, and have been inform'd, That Salmon in that River have been killed of above forty Pounds Weight. The next Summer after Spawning, they return from the Sea to the fresh Rivers very far; but if they are by any Means confined

to the fresh Water, they will grow lean and die in a few Years.

Trout Angling.

The Trout loves a swift Stream and the hardest Gravel, especially where the Bottom is a little weedy, and is caught either with a Worm, Minnow or Fly.

If you fish with the Worm, make Choice of a Dew or Lob-worm, or a Brandling or Gilt-tail Worm, which last is esteemed best for small Trouts, and the Lob-worm the most approved for the large Fish. The Lob-worm is dug out of the Earth or Dung-heaps, and oftentimes taken at Night after a Shower of Rain in the Summer, when vast Numbers of them will come up to the Surface of the Earth, and even crawl upon the Ground at Length, so that they are easily taken; the Brandling-worms are usually found in an old decayed Dunghill, or in Cow or Hogs-dung, but the best of them you generally find in Heaps of Tanner's Bark; and large yellow Cadis-worms are very good Baits for the Trout in a still Water.

Your Worms are the better and firmer for being scoured and kept some Time before used; and in an Earthen-pot with a good Quantity of Moss, they will be very well preserved and made fit for Use, being refresh'd with a moderate Quantity of Water twice a Week in the Summer, and once a Week in the Winter. Let your Line be poised with Lead, suitable to the Stream in which you angle, sufficient to sink the Bait to the Bottom, and keep it just in Motion and no more. The Morning early and the Evening, are esteemed the best Times for Fishing in the Summer, when the Fish are generally to be found in the shallow Parts of the River; and the Middle of the Day is accounted the best Time

in the Winter, when the Sun shines, and the Fish at this Time love a deep Water.

At Mill-pond Tails, the Eddy between two Streams, and at the Heads of Holes near a Shoal, where there is a small Covert of Trees, hollow Banks or Rocks, you frequently meet with the Trout ; for these Fish and most others delight in having a Covert near : And dark cloudy Weather that is warm, the Wind being at West or South-west is very promising of Sport ; but the Trout and Salmon bite best at a Ground-bait, after a warm Shower of Rain which hath just discoloured the Water.

If you angle at Night for the Trout, (which you may do in the Summer successfully,) you are to fish with two large Lob or Garden-worms, drawn on a pretty large thin Hook, having a Line without a Plummet ; for you are to draw the Bait pretty near the Top of the Water, in a Place where the Stream runs a little quietly, that the Bait may be the more easily discern'd : And if there be a good Trout in the Hole, in a dark Night he will take it, and this Way sometimes the Salmon is taken.

The old Trout is very fearful, commonly lies close all Day (except in May, the Fly Season,) and does not stir out of his Hole until Night, when he feeds very boldly near the Top of the Water, watching the Motion of every Thing that swims down the Stream : When he has taken your Bait in the Night, he will not easily forsake it as in the Day, so that it is best to let him gorge it.

If you fish for Trout with the Minnow, the Season for which is the Month of April, before the Flies come abroad, when the Trouts are out of the Banks, make your Choice of Minnows that

are the whitest of the middle Size ; your Minnow being so chosen, put it on your Hook so as to turn round nimbly , when drawn against the Stream ; to effect which, you are to put your Hook (being of a large Size) in at his Mouth and out at his Gill ; then having drawn it two or three Inches through his Gill, put it again into his Mouth, and the Point and Beard out at his Tail ; then tie the Hook and the Minnows's Tail about very neatly with a white Thread, which will facilitate its turning in the Water : This done, pull back that Part of your Line which was slack, so that when you hook the Minnow the second Time, it may fasten the Head, and the Body of your Minnow will be almost strait on your Hook.

In Respect to your Tackling for this Fishing, your Line must be small and made of Silk, by Reason sometimes a Salmon will run at this enticing Bait ; and if your Line was Hair, you would be in Danger of losing him : You are to have two or three fine Swivels placed at regular Distances in your Line, one whereof not far from the Hook, which will contribute very much to the quick turning of the Minnow, so that it will seem as if shooring alive. Your Line is to be fixed to a long taper Rod, and to be about a Yard longer than the same, having a small pyramidical Plummer near the Hook, by which Means you will with Pleasure throw it out, and draw your Bait a little under Water in a swift Stream, but not so deep but it may be very visible ; you will see the Fish run at your Bait, when you are immediately to strike. And large Trouts are commonly taken this Way.

If no Minnows are to be got the Trout may be taken with an artificial Minnow, which if well made, will deceive the most quick sighted Fish in a *swift Stream.*

The last Way o' taking the Trout is with the Fly: Your Rod for this Purpose ought to be long, light, and very gentle, your Line not to exceed three or four Hairs, especially near the Hook, though the upper Part of your Line ought to be stronger, otherwise if your Tackling should break, you will lose your whole Line: And if you can manage so as to fish with a single Hair, you will increase your Sport. Let not your Line be too long, tho' some Anglers will easily manage a Line, especially with an artificial Fly, three Yards longer than the Rod, or almost twice the Length of the Rod, if the River be not incumbered with Wood or Trees. You ought to chuse your Time for this Angling, when the Sun is in your Face and the Wind in your Back, and to fish down the Stream, carrying the Point of your Rod downwards, to prevent the Shadow of your self and Rod being discerned by the Fish; for the Sight of the least Shade startles them.

The Biting-time of this Fish is from Sun-rising until near eleven in the Morning, and from two in the Afternoon till Sun-set; but about nine a Clock in the Forenoon, and three or four in the Afternoon, are the most constant Hours of biting, especially with the Fly. When you repair to your Fishing, by the River's-side you may easily observe at what Fly the Trout leaps, then catch some of these Flies, and secure them for Use in a small Box with a Drawing-lid, whereby you may put in or take out a Fly, without hazarding the Loss of your whole Stock; and the *May-Fly* is usually in and about that Month, to be found with Ease near the River-side, especially against Rain. When you have procured a Quantity of Flies, take one of the largest and bait your Hook with it, running the Point of your Hook and Beard thro' the Tail to the End, so that

the Fly will flutter and be more active than either not confined, to seek his Liberty; then cast out your Line with the greatest Nicety, so as not to strike off your Fly, and let no Part of your Line touch the Water if possible, but only the Fly moving your self down with the Stream, and strike at the first rising of the Fish. A little Wind will be a very great Assistance in the throwing out your Line.

There are many Sorts of Flies wherewith Trout are usually taken, as the Dun Fly and Stone Fly in *April*, the Ruddy Fly in the Beginning of *May*, the Yellow or Greenish Fly about the Middle of *May*, and the Black Fly about the latter End of *May*, the sad Yellow Fly in *June*, the Moorish Fly and Tawny Fly, both likewise good until the Middle of *June*, the Wasp Fly and Shell-fly in *July*, and the dark Drake-fly in *August*. The Caterpillar or Palmer-fly are often used, and about the Fall of the Leaf by dapping with a Grasshopper, in an Evening after a warm Day, you will not fail of Trouts.

I shall offer no Directions for the making of Artificial Flies, as I am very sensible no exact Rules can be prescribed for this ingenious Part of the Business of Angling, which Practice only must compleat: But the Angler may carry a Bag of Materials with him to the Water-side, and after he hath caught one of the Flies at which the Trout leaps, he may try to make a Fly like it, and by frequent practising he may attain an exact Imitation. *May* and *June* are the Months for Fly-fishing, and the Trout will bite well before that Time, in the Months of *March* and *April*, and after these Months, in *July*, *August* and *September*.

In *Hampshire* they have a Method for Trout-fishing, no where else practised, but the Largeness of the Rivers seems to make it necessary: Their Way
of

of Fishing there in the Month of May, when the Fly-fishing is at its full height, is thus ; two Persons, each being furnished with a long Rod, go out together ; when they come to the River they propose to fish, they separate one on one Side of the Water, and the other on the other side ; then having a strong Hair-line, in Length twice the Breadth of the River, one of the Anglers is to fix one End of it to his Rod, and by fixing a Lead-Plummet to the other End, throw it over to his Companion, who likewise fastens that End to his Rod taking off the Plummet ; to this long Line are fixed two short ones with Hooks, the Lines not exceeding two or three Yards in Length, placed about three Parts in four of the Breadth of the River distant from each other, and at equal Distance from each Rod : These two short Lines thus advantageously fixed, you may at your Pleasure put over to either Side of the River, so as to command any Part of it for Fishing, or to land your Fish when hung, Bait your Hooks, &c. When you see a Fish rise, and you have not only put to him but hung him, carry him down the Stream to a proper Landing-place, keeping your Line a little upon the Strain, that the Fish may not have too great Liberty to intangle himself in the Weeds ; but you are not to keep your Line too much strained when you strike a large Fish, for fear of its breaking. The Fish being carried down to a convenient Place for Landing on either Side of the River, the Angler that receives the Fish, is to retire regularly with his Rod extended from the River, and his Companion on the other Side, is to go to the Water gradually to help over the Fish. And when the Fish is brought near the Shore, the Angler on that Side sticks his Rod carefully in the Ground, and runs to the Water-side and lands his

128 *The Compleat Sportsman.*

Fish; then baits his Hook with a fresh Fly, and they proceed.

By this Method of Trout-fishing you keep effectually out of the Sight of the Fish, which is the greatest Obstruction to Sport, and command the River far better than you can any other Way; and I have known incredible Numbers of large Trouts taken this Way in a very short Space of Time. Brook-fishing is a very pleasant Diversion in the Month of *April*, with a short gentle Rod, a very short running Line, and a Ground-bait; and though the Trouts are small, yet you fully make it up in the Quantities of them.

There are several Kinds of Trouts, and they all deserve the Preference to any Fresh-water Fish: They continue many Months out of Season; and till the Sun is powerful to warm the Earth and Water, the Trout is lean and unwholesome. They spawn about *October* or *November*, and at this Time they will force themselves against the Streams almost miraculously through Mills, Wears, Flood-gates, &c. as the Salmon will leap over.

Angling for Pike.

This Fish delights in a dead, deep, and shady Water, unfrequented by Passengers, or rather in dead deep Parts of Rivers near to Shoals, for the sake of the young Fry of Fish, on which they live.

The Baits for the Pike are various, as live Frogs, large Minnows, Gudgeons, Salmon-Smelts, young Trouts, small Dace, Roach, &c. But the last I have experienced to be the most preferable live Bait, by Reason the small Roach not only excels in Brightness in the Water, but will live near twice as long confined as any other Fish.

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The best Biting-time of this Fish is in the Morning early, and late in the Evening, in a clear Water, having a gentle Gale of Wind. The first Method of Angling for this Fish which I shall take Notice of is Trowling; for this agreeable Sport, having prepared a Line of fine Thread well twisted and strong, of about fifteen or twenty Yards in Length, a single Pike hook wired and leaded to sink the Bait, a Rod of about twelve or thirteen Foot in Length, strong and taper, but not heavy, with a substantial Wire-loop at the Top to throw out your Line, and a Bait of small Dace or Roach, &c. Run the Wire of your Hook in at the Mouth, and out at the Tail of the Fish, letting the Point and Bend of the Hook stand out on one Side of the Fish's Mouth, then tie the Tail round fast to the Wire, and the Thread tie to the Bow at the End of the first Link of Wire, and fix your Line to the Bow at the End of the second Link of Wire, then cast your Bait up and down in such Places as you know the Pike frequents, letting it sink a considerable Depth before you pull it up again. When the Pike strikes at your Bait, which you may easily feel, slacken your Line and give him Length enough to run to his Hold, where he will swallow the Bait, and there let him lie till you perceive the Line move, when you may conclude with Certainty, that he hath pouched the Bait; then wind up the Line, or rather draw it up in long Links with your Hand till it is almost strait, and with a nimble Jerk hook him, and bring him presently to Land.

If you Fish at Snap, you are to use a double Spring-hook, and to bait in this Manner; first, make a Hole in the Fish's Side you intend for the Bait as near the Middle as you can, wherein you are to put your armed Wire, and draw it out at the Fish's Mouth; then you are to sew up his

Mouth, and your Hook is baited. When you angle this Way, let the Pike run a little, and then strike contrary to the Way he takes. If you fish with a Frog, you are to make Choice of the yellowest Water-frog you can get, from the Month of May to August, and by putting your Hook in at his Mouth and out at his Gills, and tying one of his Legs fast above the upper Joint to the Wire, it will continue long alive in the Water.

The next and best Method of Pike-fishing is with the live Bait: You are first to catch your Baits, either small Dace or Roach, or what other small Fish, proper for Baits, are most easily taken, and having them alive in a Tin-pot with a Lid full of Holes made for that Purpose, full of Water, convey them to the several Parts of the River you purpose to fish. Then cut long Rods with Forks at the End, and stick them into the Bank: After this, with one of the sharp Points of a fine Fork, make an Incision in the Side of the Bait just under the Skin, a small Distance from the Head, of about an Inch in Length towards the Tail, through which put the Wire of your double Hook (the Hook not being too large, which is a great Fault,) letting the Body of the Hook be covered by the Skin of the Fish, and the Points standing out bare; then fasten your Line to the small Loop of the Wire, and throw out your Bait into the Water, over the Fork of your Rod pitched into the Bank, and let it lie about two Foot or two Foot and a half under the Surface of the Water, allowing it not too much Line, for fear it should intangle in the Weeds, &c. Fix the Line on Shore, in the Slit of a small Stick or otherwise, so that the Bait may not run it out, but so as a larger Fish may do it with Pleasure; then let the Remainder of your Line lie easy and loose, to be drawn out by the

Pike, and tie the End of your Line securely, either to some Bough of a Tree that will yield and give way, or to your forked Rods being well fixed in the Earth.

The live Bait will live in the Water at least twenty-four Hours, perpetually shooting up and down to get loose, before it will spend it self; and if there be any Pike in the Hole within Sight of the Bait, it's ten to one but it will make a Run at this alluring Bait. I have known some Anglers lay these live Baits, many of them on several Lines fastened to one grand Line, or rather, small Rope, thrown along in the Midst of the River, and secured at each End with weighty Stones, floating the Line with large Pieces of Cork; to this large Line, you may have your Pike-Lines baited as above, fixed with a small Wadd of Rushes to prevent the Baits running out the Line, and winding up the Remainder of the Line loose on the Rushes, so as it may easily unravel when a Jack takes the Bait; and by this Method where there are Plenty of Pikes, you may have half a Dozen Fish on one grand Line. And I have been informed, That some Anglers have fixed a live Bait, on a short Line to a Duck's Leg, and fastened a very long Line to the other Leg of the Duck from your Hand, then letting the Duck fly to the Middle of a Pond or Lake, where she will swim till a Jack takes the Bait, which you may easily perceive; for if it be a large Fish, it will pull the Duck under Water, and then drag him to Land with the long Line. And a large Goose, some Anglers tell ye, will hale a Pike to Land this Way.

The last Way of taking the Pike I shall mention, is by Snaring, the best Time for which, is in *March* and the Beginning of *April*, in the hottest Time of the Day, when the Fish will appear near
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the Top of the Water. Your Method is to take a strait, tough, taper Rod not too heavy, but strong, of about twelve or fourteen Foot in Length, to the smaller End of which fasten a well nealed Wire, either large and single, or small Wire double and finely twisted which is the best, made into a Noose or Snare ; having opened the Noose wide enough to slip over the Fish's Head, let it down with your Rod gently into the Water, even with the Pike about two Yards before him, and guide it very gently towards his Head, fixing your Eye full upon him, till you have put the Snare over his Head and Gill-Fins, when you are immediately with a strong upright Jerk to hoist him amain to Land. Trouts and other Fish may be taken this Way.

Pikes during their Spawning-time, which is about the Month of *March*, will repair in great Numbers to small Ditches ; and I have known one of seventeen or eighteen Pounds Weight snared in a Ditch you might easily leap over. They will take a dead Bait at Night laid at the Bottom, like the Eel, and are in Season all the Year,

Pearch Angling.

The Pearch is a Fish of Prey as well as the Pike, and both are great Devourers of their own Species.

It is a delicate Fish to eat, but is slow of Growth, seldom exceeding fourteen Inches in Length, oftentimes less, though I have been at the taking of some as have been near two Foot long.

The Pearch delights in the same Water as the Pike, only more gravelly at the Bottom, and not quite so deep ; he bites best in the Summer, when you may have Sport all Day in cool, cloudy or
windy

windy Weather ; but in the Winter he does not care to move at any Time but in the Middle of a warm Day, and generally his best Times of biting, is from seven or eight till ten a Clock in the Forenoon, and from two or three in the Afternoon till Nighr.

The Worm and the Minnow are the only Baits for this Fish ; if you try with the former, the Brandling-worm well scoured in Moss or Fennel is the best ; and having a Float-Line, and a pretty stiff taper Rod, there is no Difficulty in the Management. And if you fish with the latter, chuse your Minnows of a middle Size, have them alive in a Tin-pot of Water like unto the live Bait for the Pike ; you are to bait them either by sticking your Hook thro' the back Fin, or running it thro' the Minnow near the Tail, which will not much hurt it, and this Way is most commonly used. Let your Minnow be about three Foot under Water, or about Mid-water, swimming up and down, and being kept to that Depth with a pretty large Cork Flote, and sunk with one large Shot fixed to the Line near a Foot from the Hook as usual. When the Pearch bites, be sure give him Time enough before you attempt to land him. Your Line must be Hair, but very strong ; and I have taken small Jacks this Way of Fishing,

When you angle for Pearch in Water not very deep, it is a very good Method to stir the Sand or Gravel in the Bottom with a long Pole, or to cast Earth and Sand into the Water, which will gather them together ; this Method is likewise to be used in angling for Gudgeon.

Angling for the Carp.

The Carp originally a foreign Fish, at this Time abounds in *England*; but the River-Carp is the best Fish by far, though not so easily taken.

They breed more naturally in Ponds than running Streams, and the best Bait for them are Gentles, Gilt-tail-worm, Red-worm, Marsh-worm, Dew-worm, sweet Paste, Wheat boiled, &c.

Your Rod for this Fishing ought to be about fourteen Foot long, your Line to be about four or six Hairs, your Hook pretty large, and to your Line you are to have either a large Float of Quill, or a small sized Cork-Float. You are to fish about Mid-water generally, but the Weather may sometimes make it necessary to fish a little higher or lower; when the Carp takes the Bait, he runs to the farther Side of the River or Pond, and after you have struck him, you are to give him Play, otherwise your Line will be in Danger; for he is very strong, and will struggle long with Vigour, being Leather-mouth'd.

The Carp bites very early and late from the Beginning of the Month of *April* to the End of *August*, and in the Midst of Summer, he will bite all Night in the still Part of the Water, but is a very subtle and wary Fish. In the Heat of the Day in *June* and *July*, Carps will shew themselves on the Top of the Water amongst the Weeds, which they love exceedingly, and may be taken with a well-scoured Lob-worm, cast to them as you angle with a natural Fly, but you must carefully keep out of Sight: They are best in Season in *March*.

This Fish being difficult to be taken, it is a very good Method to bait the Places you fish some
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Hours before you commence your Angling ; and for this Purpose you may make up your PASTE in small Pellets, and throw it into the Water, or you may first throw in ground Malt, Bran, Grains, Bunches of Worms, Blood, or any Sort of Garbage, and afterwards throw in your Pellets of PASTE, which you may likewise continue to do while you are Angling.

Pastes are made different Ways ; the first I shall mention is white Bread and Honey worked up together ; then there is PASTE made of the Flesh of a Rabbit ; Bean-Flower and Honey beat in a Mortar, or worked with the Hand into small Balls, and tempered so stiff, that it may not easily wash off your Hook, but not too hard.

Carp breed best in warm Ponds free from blustering Winds, or Bits, new Ponds, &c. They will spawn three or four Times a Year, beginning the first Time in the Month of *May*, so that their Increase is wonderful : But as they live to a great Age, some affirm that the Female-Carp will be near eight Years old, others three or four Years, before she will begin to multiply, though the Male will be fit at three or four Years old. And if you would have these Fish grow large and very fat, you need only remove them into Pits and deep Puddles in Pastures, or into deep Ditches in Meadows, or foul Horse-Ponds, and you will find a very sudden Growth.

They live long out of Water, and are an excellent Fish.

Angling for Tench.

This Fish like the Carp, delights in Ponds more than Rivers ; and if you find them in Rivers, it is commonly in deep and quiet Places.

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They have small and smooth Scales, the reverse to those of the Carp, large Eyes of a Gold Colour, and red Circles round them; from each Angle of the Mouth there hangs down a little Barb, in their Heads are two little Stones, of which great Use is made by foreign Physicians, and they are used in many medicinal Cases, for which Reason they are stiled the Physicians of Fishes; and 'tis said, That the Pike is so sensible of this, that he will spare these Fish.

In your angling for the Tench either in Pond or River, it is requisite to bait the Ground with the same Ground-baits, and also to fish for them with the same Tackle as for Carp. The three hot Months are the only Time of Angling for these Fish, when they will take a Marsh or Lob-worm, and the smaller Worm, (a Cod-worm being put on the Hook before the small one) they will likewise take a Flag-worm or a green Gentle, and incline very much to Paste wherein Tar is mixed.

These Fish spawn about the Beginning of *July*, and as they are used in Medicine, so they carry a natural Balsam in them to cure both themselves and others; and 'tis said, the very Touch of the Tench will cure any other Fish diseased or hurt.

In fishing for Carp, Tench, Pearch, Roach, Bream, &c. it is a very good Method to have several Rods and Lines with Cork floats to lie by, one Man may very well attend four and pursue his Pleasure of angling for other Fish at the same Time: And I have observed, that some Anglers make use of many small Lines of different Lengths, (though all of them short,) and different Hooks and Baits all fastened to one large running Line, with several large Shot to sink it, fixed to a taper but pretty stiff Rod, which being laid by, you may take not
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only several Fish, but a pleasing Variety at one Landing.

Eel-Angling.

There are several Sorts of Eels, but the Silver-Eel is the best, and the black Eel the worst.

They delight very much in muddy Rivers, but the Eels in gravelly Streams are very preferable to the other, being therein scoured from their natural Filth. During the Winter Season they stir not out of the Deeps and Mud, and at other Times they seldom appear in the Day-time, unless it be when the Water is a little thickned with a Shower of Rain, or in very hot Weather. In the Day-time they hide themselves under some Covert, Roots of Trees, Stones, Piles, &c. but in the Night they ramble prodigiously. They never swim up the River they breed in, but always downwards, so that it causes no Destruction to the River to take them at Mills and Wears, &c. in Pois. And after having once tasted the Sea-Water, 'tis said they will never return back to the fresh Rivers.

The Lob or Garden-worm, and Minnow, are the common Baits for the Eel, and these Fish are caught several Ways, as first by laying Night-Hooks, which are strong and fastened to strong Lines, not above two or three Foot long, tied to short Rods about three or four Foot in Length, which are to be stuck into the Banks of the River, and they are generally placed in pretty shallow Water to which the Eel feeds in the Night. If you bait with the Worm, you are to draw your whole Line through it by the Help of a Knitting-Needle, so as to place the Worm on the Hook, that the Eel may not easily suck it off without swallowing the
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Hook, and the Point of the Hook is to be just covered.

Another Method of laying Hooks is, by fixing many of them on short Lines, or rather Links, to one large Line or String, baited as above-directed; and the large Line having a heavy Stone at each End, you are to cast our a-cross the Stream drawing it streight, and your Stones will sink it; and in the Morning you may take it up with your Drag-hook, or you may have a Line from the Stone nearest the Bank, fixed to some Bough of a Tree, or Pitcher by the River-side, and drag your Fish ashore without the Trouble of a Hook.

Bobbing for Eels is the most slavish Way of taking them, but the Fatigue is generally made easy by the Numbers of the Fish taken. To fish this Way, you are to take large Garden-worms well scoured, and with a Knitting-Needle run a strong Thread long but not large, well waxed with *Cobler's-Wax* through them from End to End; string many thus, as will wrap at least a dozen Times round your Hands, then tie the Ends of the Thread fast, and tie the whole in a Bunch, being wound round your Hand as above, very fast, and fasten the whole with the String to the Slip of a small Cord about two Yards long; then having a leaden Plummert of a round pyramidical Form, about half a Pound Weight or more to sink your Bait, with a Hole bored through the Middle, put your Cord through it, and let the large End of it rest near the Bunch of Worms, so that by the little End the Plummert may be easily drawn through the Weeds, then fix your Line to a pretty long stiff Poll, that is large but not very heavy, and you are prepared,

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Your Length of Line ought not to be above eight Inches above the Surface of the Water; if it be longer, you will not certainly land your Fish, and you may by winding your Line on the Top of your Pole, make it of a Length to fit any Depth. When you find the Eels tug strong and eagerly, which you will be very sensible of, draw gently up, and when you have them near the Top of the Water, hoist them nimbly to Land, but regularly and without a Jerk; for if you give the least Jerk, they will drop off before you can bring them ashore, there being no Hook to secure them only the Wax-Thread to fasten in their Teeth. With this Device you may take three or four at a Pull, and they will sometimes bite so eagerly, that you may hold them on your Clod in the Air a considerable Space, gnawing and tugging at the Bait as a Mastiff-Dog will at a Piece of Liver. Your best Time of fishing this Way, is either at Night in the Summer, in clear Water, or in the Day-time after a sudden warm Rain to thicken the Water in large Brooks.

Eels are commonly taken with the Pearch-Angle; and there are several other Ways of taking Eels, as by Spearing in the Summer, when they lie in the Weeds on the Shoals; by a continual striking with the Spear into all Parts of promising Weeds, many of these Fish may be taken. And about the Month of *August*, they will lie near Weeds in the Middle of the Stream just under the Water and feed on small Flies, especially the larger sized ones, when they are taken with a long stiff Rod, and a large sharp Hook tied fast to the End, by putting the same gently under their Bellies, and thus pulling them under Hand ashore. And Eels of the largest Size are frequently taken with small live Baits laid for Pikes, they being a Fish of Prey.

Angling for the Umber.

The Umber is very much like unto the Trout, and loves clear Water, swift Streams, but far from the Sea.

This Fish will take the same Bait that the Trout does, but its principal Ground-baits are the Gilt-rail-worm, the Brandling-worm, and Meadow-worm well scoured, Cod-bait and Flag-worm. When you angle for him with the Ground-bait, you are to let your Bait swim about six or eight Inches from the Bottom; and to be regular in this Particular, you are to make use of a Cork-Float, rather than the running Line which you use in fishing for Trout and Grayling. And your Bait must by no Means drag on the Ground, for the Umber usually swims nearer the Middle of the Water than the Bottom, and is more inclinable to rise than descend.

If you fish at Top of the Water, you may use either a natural or artificial Palmer-fly, (especially the Camlet-fly) and angle as you do for the Trout. He is a very nimble Fish, swimming very swift, but dead-hearted when hooked, bites freely, is tender mouthed, and often lost by breaking hold.

This Fish lies close all the Winter, but in April he shifts his Winter-Quarters, and betakes himself to the Middle of the River; for Size he seldom exceeds a Foot and a half in Length; he is good all the Year, but best about the Month of December. And this Fish and the Grayling differ only in Name, the larger being called Umber, and the smaller Grayling.

When the Water is discoloured with a sudden Shower of Rain in the Summer, you may fish for Umber on a Bridge or high Eminence from the Water without a Rod, having a long Pike Line with

two or three Yards of fine Silk-Line next the Hook, the Hook large but thin and baited with a Lob-worm or two well scoured, the Line having a Musket-ball about three Foot distance from the Hook; throw out your Bait, having loosened your Line in several large Links or Bows in your Hand for that Purpose, into an eddy or swift Place near a Hole, where your Bullet will sink it, but so as to play up and down by the Motion of the Water, which it will do by its Distance from the Plummer, here let your Bait lie some Time, and when you feel a Fish bite, give him Line and Time to hang himself, and then draw in your Line with your Hand and land your Fish. And this Way I have taken large Trouts, Eels, Flounders, &c.

Chub-Fishing.

This Fish is so easily caught, that it is esteemed the best Fish to enter the young Angler.

He is to be found in Angles or deep Holes, where the Water runs not violent, in large shady Rivers of clay Bottoms; and thrives very well in Ponds wherein Rivulets empty themselves.

The Baits for this Fish are various, according to the Season of the Year you angle for them. In *March* and *April* they will bite at Worms, in *May*, *June*, and *July*, they'll take Flies or Beetles, Snails, &c. and in the cooler Months, a Paste made of the strongest Cheese pounded with a little Butter and Saffron; but they never refuse the Grasshopper on the Top of a swift Stream, nor the young Humble-Bee at the Bottom; and they will sometimes bite at a Minnow.

The best Time of Fishing for these Fish is from Sun-rising to eight or nine a Clock, and from three in the Afternoon to Sun-set. If you fish with a Grasshopper,

hopper, place your self in some Covert if possible to be out of Sight, for they are a very shy and timorous Fish; having baited your Hook, let it hang about a Foot above the Water, and if you see the Chub soaring near the Top of the Water, which they commonly do in warm Weather, move your Rod very slowly, so as to let your Bait fall gently in the Water three or four Inches before your Fish, when he will certainly take it; if he should see you or the Shadow of your Rod, he will sink towards the Bottom, but if you keep your Station you will soon see him rise again.

In the Winter the Chub is taken at Mid-Water, or lower Angling with a Float; at Bottom, by a Ledger-bait; and in the Summer at Top, by dishing as above directed: They will scarce loose their Hold, so that it is your surest Way to give them play enough before you offer to land them.

This Fish spawns in *March*, and becomes in Season a Month after Spawning. And when Cautle in the Summer resort to the Fords, their Dung attracts all Sorts of Fish, and you may angle near such a Place for the Chub with Success.

Angling for the Barbel.

The Chub and Barbel are reputed the worst and coarsest of Fresh-water Fish.

In the Summer you may find the Barbel in the swiftest Parts of the River, that is pretty shallow and weedy, and he delights to lie under the Shades of Trees in a gravelly Stream, where he will dig with his Nose very strangely; and at Bridges, Floodgates or Wears, you will find this Fish in the swiftest Current; but in the Winter he retires from the swift and shallow Parts of the River, to deep and quiet Banks or Holes.

The Baits for this Fish are Red-worms, Dew-worms, &c. well scoured and very clean, the young Brood of Wasps, Hornets, and Humble-Bees, the Bob of all Sorts, Pastes, new Cheese, &c. but his prime Baits are Gentles not too much scoured.

You are to angle for this Fish with a pretty stiff but taper Rod, strong Line and Float, a pretty large Hook; and your Bait, must very near, if not quite touch the Ground. The best Time of Fishing is from the Beginning of *May* till the End of *August*, he bites most kindly Mornings and Evenings, but is a cunning wary Fish, and when hung will struggle so vigorously, that it requires the best Management to preserve your Tackle.

The Barbel spawns about the Month of *April*, and the Spawn is so very unwholsome, that it is esteemed a very small Degree from Poison.

Bream-Angling.

Ponds are the most natural to the Bream, and though they breed in Rivers, they never grow so large and Flat there as in the Ponds. They love the deepest and broadest Part of gentle Streams, a little muddy, with sandy and clay Bottoms.

There are several Sorts of Baits for this Fish, the Dock or Flag-root Worm like a Maggot, the Gilt-tail Worm, young Wasps like Gentles hardened and dried by the Fire, a large Red-worm without a Knot well scoured in Moss, Paste made with brown Bread and Honey; and in *June* and *July* he will take the Grasshopper and Flies under Water.

When you fish for the Bream, it is a very good Method to go to the River-side at three or four a Clock in the Afternoon in the Summer, when you may

144 *The Compleat Sportsman.*

may see them in Shoals, and find out their Haunts; then prepare a Ground-bait of sweet Malt gros ground and boil it, and when cool repair to the Water-side about eight or nine a Clock in the Evening, and cast in the greatest Part of your Ground-bait, first squeezing it hard between your Hands, and make an Allowance for the Current to carry it to the right Place.

About four a Clock the next Morning, set out with your Tackling for the Water-side, which is to be a long Rod, a fine Silk or Silk and Hair-Line, a large Swan or Goose-Quill Float, and a moderate sized Hook; bait your Hook and cast it over the Ground-bait, and there let it rest; when you have a Bite you will perceive the Float to sink suddenly into the Water, but you are not to strike till the Line go clear away; and if it be a Bream or a Carp, they will immediately shoot to the farther side of the River, and you may then strike, but do it gently, holding your Rod upon the bent a little while, but not pulling while the Fish struggles for fear of breaking your Tackling.

This Sport may be pursued with great Pleasure, by laying by three or four Rods as directed under the Head of Tench-Angling. You may continue your Fishing at four a Clock in the Afternoon, by throwing a further Quantity of Ground-bait into the Water, and if it be a gloomy Day and windy they will bite all Day.

The Bream is in Prime the Months of *July* and *August* after the Summer feeding. And if Pike or Pearch breed in the same River, they are to be first taken, which is a general Rule with respect to Angling for many other Sorts of Fish, those Fish being Fish of Prey and very much disturb and frighten the rest. And you may lay your live Bait for the Pike, at the same Time you are fishing for Bream, &c.

Angling for Roach and Dace.

The Roach and Bream very much resemble the Carp, being very broad and thick, but short, and their Scales large, and set in excellent Order; they are Leather-mouthed, have their Teeth in their Throat, and are very bony. And the Dace is a long thin Fish of exceeding Whiteness, but likewise full of Bones.

These Fish delight in a gravelly sandy Ground, and if it be a little clayie they like it never the worse. And in the clearest, deepest, and stillest Parts of the River, that are most shaded, amongst Water-Docks, under Water-Lilies, &c. they are certainly taken.

In hot Weather the Roach may be taken with a natural Fly, as the Trout, having a very small Hook, or with the Fly drawn under Water. In cooler Weather, you are to fish with a very small Lead and Float about two Foot under Water, baiting with Ant-Eggs, &c. and you are to fish deeper, as the Weather increases in Coolness, so as to have your Bait not above half a Foot or a Foot from the Bottom in the Winter; but if you bait your Place, you are to fish deep at all Times of the Year.

In *April* and *May* you may angle for the Dace with small Gilt-tail Worms, little white Snails, Ant-Eggs, House-Flies, Caddis, Cod-bait, within five or six Inches of the Bottom, the Water being clear. In *June* and *July* fish for them with boiled Grain, naked Wasps and Bees, Gnats, Ant-Flies, Grasshoppers, Caterpillars or Worms bred on Plants, Bushes, &c. In *August* and *September*, the black Ant-Fly is an excellent Bait both at Top of the Water, and within six Inches of the Bottom in a clear Water. And if you Angle for Dace in the

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Winter.

146. *The Compleat Sportsman.*

Winter, your best Baits are Worms, Gentils, dead Bees from Honey-Combs, boild Wheat husked, the Fish-Eyes, fat Bacon, or Paste made with Flower of white Bread and a little Butter, work'd up with Cotton to make it stick to the Hook, and coloured with Saffron or Red-Lead. The same Baits will serve for the Roach.

Your Rod for Dace and Roach ought to be very long and pretty gentle, your Line very small and not exceeding one strong Hair at the Hook, which will secure a Fish of a Pound Weight at least with good Management, your Hook to be very fine, and your Bait very clean. And if you fish in the Winter you ought to sound the Depth with a small pyramidal Plummert, not above half an Ounce in Weight, wherein is to be a small Hole at the Top for the fixing of your Hook to it.

The Roach is a Fool-hardy careless Fish, frequently taking your Bait in your Sight, and when they are in the Humour of Biting, you may lade your self from one Hole, They spawn in *May*, and within a Month after are in Season, and so continue till *April*, but they are in their Prime in *February* and *March*. The Dace spawn in *March*, and are soon in Season, but not very good till about *Michaelmas*; they are both a coarse Fish.

In the River *Thames* Roach are frequently taken in fishing for the Bleak or other small Fish, by angling with your chief Line deep and a Worm-bait; having three or four short Links fixed to your Line with Hooks baited, those about Mid-Water with the Gentil, those nearer the Surface with Paste or small Worms, &c. by which Means you take Roach, Dace, Bleaks, &c. at once.

Angling for the Smelt, Gudgeon, Bleak, &c.

The Fresh-Water Smelt seldom exceeds the Size of a Herring, is an excellent Fish, and whether produced from the Spawn of the Salmon as generally supposed, I do not take upon me to determine; though I confess there is a Probability of it, as they appear in *April*, a reasonable Time for the Spawn of the Salmon cast in *September*, to arrive to the Size they are commonly taken; and 'tis observable, that they make down to the Sea in great Quantities about the latter End of *April*, and are not to be met with afterwards.

These Fish are taken with the Gilt-tail-Worm, fine running Line, and a long taper and gentle Rod, in the Shoals of swift running gravelly Streams, and between or near Weeds at the Bottom; You'll find them as you do the Trout, and after a Shower of Rain you'll have excellent Sport: But with a small artificial Fly and very fine Hook, at the latter End of *April* you may take them as fast as you can cast over them; I have known in a River in *Hampshire* some Dozens of them taken in an Hour's Time.

The Gudgeon is a Fish of an excellent Taste, and is easily taken with a small red Worm; on, or near the Ground. This Fish is smaller than the Smelt, and usually frequents the Shallows in sandy gravelly Bottoms of gentle Streams, in the Summer when they scatter themselves, but love a deeper Water in the Winter.

You may fish for the Gudgeon, either by Hand with a running Line or with a Float, having a very gentle Rod; he bites well in gloomy, warm, or hot Sun-shiny Weather, and bites all Day from *Lady-Day* to *Michaelmas*, but will not bite kindly

in cold Weather, and seldom moves before Sun-rising or after Sun-set.

The Bleak or fresh Water Sprat, may be taken either at Mid-Water or the Top, with a Line called a *Paternoster Line*, (*viz.*) a Line having six or eight small Hooks tied to single Hair-Links, and fixed within half a Foot of each other, and baited with Gentils, your Line having a Float of Quill; and in a Summer-Evening you may have very good Sport, by whipping on the Top of the Water for the Bleak with a fine artificial Dub Fly.

Thus I have gone through the particular Ways and Methods of Angling for all Sorts of Fish in the best Manner, and have added under the several Heads, many very material Experiments and Improvements no where else to be found; I now proceed to the Laws and Statutes relating to Angling, which finish this Treatise.

The Laws and Statutes relating to Fishing.

The Statute 13 *Ed 1. c. 7.* enacts, That if any Person shall take Salmon or Trout out of Season, or Pikes under ten Inches in Length, Salmon sixteen, Trout eight, and Barbel under twelve Inches in Length; or shall use any Engine to take Fish, other than Angle or Net of two Inches and a half in Mesh, &c. he shall forfeit 20 s. for every Fish taken, and also the Net or Engine.

And by Statute 3 *Jac. 1. c. 12.* If any Person shall erect a Wear along the Sea-shore, or in any Haven or Creek, or within five Miles of the Mouth of any Haven or Creek, and shall destroy the Spawn or Fry of Fish, he shall forfeit 10 l. to be levied by Distress, &c.

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This Act likewise declares, That no Person shall fish in any Haven or Creek, or within five Miles of any such, with any Net or less Mesh than three Inches and a half between Knot and Knot, or with a Canvas-Net or other Engine, whereby the Spawn of Fish may be destroyed under the Penalty of 10 s. and the Net or Engine.

The Act 22 & 23 Car. 2. restrains Persons from fishing in Rivers without the Consent of the Proprietors. If any Person shall take or destroy Fish by any Devise in any Water or River or assist therein, without the Consent of the Owner thereof, the Offender shall make such Satisfaction to the Owner, as a Justice of Peace shall appoint, not exceeding treble Damages, and shall also pay a Sum not exceeding 10 s. for the Use of the Poor, or enter into a Bond with one or more Sureties in the Penalty of 10 l. not to offend again in the like Nature. And if he can do neither of these, he shall be committed for any Time not exceeding a Month.

By Statute 30 Car. 2. If any Person shall take Fish in the River *Severn*, in other Nets than directed by the Statute of 13 Ed. 1. use unlawful Nets, or any Devise for taking the Fry of Eels, and thereof shall be convicted in Sessions, he shall forfeit 5 l. And every Person who between the first of *March* and the last of *May*, shall do any Act whereby the Spawn of Fish shall be destroyed, shall forfeit 40 s. and the Instruments, one Moiety to the Prosecutor, and the other to the Poor.

The Statute 4 & 5 IV. & M. c. 23. Prohibits the keeping of Nets, Angles, Leaps, Pitches or other Engines for the taking of Fish, by any Persons but the Makers and Sellers thereof, and Owners and Occupiers of Rivers or Fisheries; and if any such Nets or Engines, &c. are kept by any other Persons, they may be seized and kept by the Owners

Owners of such Rivers and Fisheries, or such as they shall authorize.

By Statute 4 & 5 *Anne*, the Statute 13 *Ed. 1.* is confirmed and continued in Force. And this Statute enacts, That no Person shall take Salmon at any Time between the 30th of *June* and the 11th of *November*, under the Penalty of 20 *s.* Offering Salmon to Sale, the like Penalty.

Two Justices residing within five Miles of the Rivers in *Hampshire* and *Wiltshire*, &c. have Power by this Act, to appoint Overseers of such Rivers and the Fish, &c. and to seize and destroy Nets, &c. And when Salmon or Trout shall be taken out of Season, Pike under ten Inches in Length, &c. as particularized in Stat. 13 *Ed. 1.* the Offenders on Conviction upon Oath of one Witness, or Confession before one Justice, shall forfeit for the first Offence a Sum not under 20 *s.* nor above 5 *l.* for the second Offence not under 40 *s.* nor above 10 *l.* And as the Offence shall be repeated, the Penalty to be doubled, &c. one Moiety to the Informer, and the other to the Poor: Or be committed for three Months.

Owners and Tenants of Mills in the Counties of *Hampshire* and *Wiltshire*, are to keep open an Hatch of a Foot square in the Stream where there is no Wheel, whereby the Salmon may pass and repass from the 11th of *November* to the 31st of *May*, and shall not use any Net, &c. in that Hatch during that Time, under the like Penalties.

And such Owners, &c. of Mills, are not to lay Pots for the catching of Eels, between the first of *January* and the Tenth of *March*, without setting Racks before them to keep out the Salmon; and after the said Tenth of *March* to the 30th of *May*, they shall not lay any Pots but what shall be wide enough, to let the Fry of Salmon pass through to
the

the Sea; and shall not take or keep, or offer to Sale, any of the young Fry during that Season, on Pain of forfeiting as above.

By the Statute of 1 Geo. Owners and Proprietors of Rivers in the Counties of *Southampton and Wilts*, and their Servants and Agents, are not to kill Salmon between the first Day of *August* and the twelfth of *November*, or hurt any Salmon by Hawks, Nets, Angles or otherwise, or expose the same to Sale, under the Penalties and Forfeitures inflicted by the Statute 4 & 5 *Anna*, which Statute as to the Time of catching Salmon is repealed.

Salmon taken in the Rivers, *Severn, Dea, Wyre, Fume, Were, Tees, Ribble, Mersey, Dun, Aire, Ouse, Swale, Calder, Wharfe, Eura, Derwent and Trent*, are to be from the Eye to the Middle of the Tail eighteen Inches in Length; and whoever shall kill or destroy them under that Size, or hinder them going up the Rivers to spawn, or kill them between the last Day of *July* and the twelfth of *November*, and thereof shall be convicted, shall forfeit 5 *l.* for every Offence, to be levied by Distress, and the Fish taken, Nets, Engines, &c. which are to be destroyed. For want of Distress to be sent to the House of Correction for three Months.

Fishmongers buying or selling Salmon taken in any of the said Rivers, under the Weight of five Pounds, are liable to the like Penalties.

I shall conclude these Acts of Parliament, with some ancient Statutes relating to Fish-Ponds, and a few Law Cases. The Statute 5 *Edw. c. 21.* enacts, That if any Person shall unlawfully break down Fish-Ponds, or shall fish in them without Licence from the Owner, he shall suffer three Months Imprisonment, and give Security for his good Behaviour for seven Years, and the Party grieved may recover treble Damages.

And by the Statute of *West.* 1. 3 *Ed.* 1. c. 20. Trespassers in Ponds were to give treble Damages to the Party injured, suffer three Months Imprisonment, be fined at the King's Pleasure, give Security not to offend again in the like Kind, or abjure the Realm.

If a Man derives a Title to a Fishery, by shewing a constant Enjoyment it is sufficient, unless the Party be prosecuted by the Crown, when he will be obliged to produce his Patent or Licence from the Crown. 1 *Kebl.* 290.

In Case of a private River, the Lord's having the Soil, is good Evidence to prove he hath the Right of Fishing; and it puts the Proof upon them that claim a Right of Fishing. *Per Hale.* But in Case of a River that flows and reflows, and is an Arm of the Sea, there it is common to all; and if any will appropriate a Privilege to himself, the Proof lies on his Side.




To take Fish in a River is no Felony; but taking Fish out of a Net, Trunk, or Pond, is Felony, because they are not at their natural Liberty, and the Owner hath them in immediate Possession as his Goods, &c.

F I N I S.





T H E T A B L E.

A.	
 Attachment, Court of in the Forest, <i>Page</i> 98	
 Angling for all Sorts of Fish,	114
B.	
 Badger-Hunting,	44
Buck-Hunting,	86
Boundaries of Forests, &c.	107
C.	
<i>Canutus's</i> Forest-Laws,	92
Carriers, &c. not to carry and dispose of Game,	49
Chafes, Original of,	91
Conies,	70
Courſing the Hare,	50
Courſing, Laws of,	53
Courts of the Forest,	97
Court of Juſtice-Seat,	100
D.	
Deer-Hunting,	74
Deer, Laws for their Preſervation,	88
Dogs, by whom may be kept,	11, 108
Duck, &c.	16, 18
E.	
Felony, what it is in reſpect to Game,	90, 106, &c.
Not Felony to kill unlawful Hunters,	69, 107
Ferrets uſed in Warrens,	70
Fish and Fiſhing.	114
The Fiſherman's Tackling,	115
Fiſhing for the Salmon,	119
	Fiſhing

The T A B L E.

Fishing for the Trout,	Page 122
—— for the Pike,	128
—— for the Perch,	132
—— for the Carp,	134
—— for the Tench,	135
—— for the Eel,	137
—— for the Umber,	140
—— for the Chub,	141
—— for the Barbel,	142
—— for the Bream,	143
—— for Roach and Dace,	145
—— for the Smelt, Gudgeon, Bleak, &c.	147
Angling, the Laws of;	148
Of Forests,	90
Forests-Laws abridged,	92, 105
Incroachments in Forests,	110
Fox-Hunting,	40
Fowling,	3
G.	
Game, the several Kinds of, by Law,	1
Game-keepers, how made by Law, &c.	59
—— deputed by Warrant,	62
New Game-Act,	61
Grant of a Park by Letters Patent,	151
Greyhounds,	50
Growse,	31
Guns, Law-Cases relating to	9
H.	
Hares, killing, offering them to Sale, &c. Penalty by Law,	60
Hare hunting, the Methods of,	36
Hart-hunting,	74
Hawks,	29
Heath-Game, Laws for Preservation of,	31
Heron,	28
Hooks for Fishing,	113
Hounds for hunting, how chosen, entred, &c.	34
Hunting-Horse,	32
Hunters Terms,	55, 84

The TABLE:

K.	
Keepers of Parks, their Business, Power, &c.	Page 67
Keepers of Forests	104
L.	
Larks, how taken,	14
Laws relating to Dogs, Guns, &c.	9
— of Coursing, and Laws of the Leash,	53
— relating to Hunting,	47, 59
— to Nets,	17
— to Parks,	67
— to Warrens, &c.	72
A Licence to hunt, &c. within a Manor, and seize Nets,	61
A Licence to a Gentleman to hunt, hawk, fish and fowl,	64
Lines for Fishing,	116
N.	
Names of Deer, &c.	84
Nets,	13
The Crow-Net,	14
The Day-Net,	<i>ibid.</i>
The Night-Net,	15
Nets for Water-Fowl	16
The Pheasant and Partridge-Net, &c.	19
O.	
Officers of the Forest,	103
Otter-Hunting,	47
P.	
Parks, their Erecting and Management,	65
Park-Keepers,	67
Partridges and Pheasants, how taken,	18, 22
— Laws relating to them	29
Pigeons,	10
Ponds for Fish, breeding, &c.	135
Parlious,	91
Q.	
Quails, how taken,	25
Qualification necessary to keep Guns and Dogs,	9, 11
Quality, Laws in Favour of them in Respect to Game,	68, 90

The TABLE.

	Page
R.	
Rails,	35
Red-Deer,	66
Resisting a Keeper in a Park,	69
Rods for Fishing,	115
S.	
Searching for Game killed,	11
Seasons of killing Game,	74
Setting-Dogs, how bred up &c.	6
Shooting, how to take aim at a dead Mark, flying, &c.	
Powder and Shot,	3, 4
Snaring of Fowl, Springes, &c.	26
Soldiers, killing Game, &c. the Penalty,	48
Spaniels,	5
Squirrel-Hunting.	46
Stalking for Fowl,	24
Surcharging the Common in Forests,	109
Swainmote-Court in the Forest, &c.	99
T.	
Teal, Laws for Preservation of,	18
Terms of Hunting,	55
Tracing Hares,	47
Trespassers in Parks, Ponds, &c.	70, 105.
W.	
Warrens, Management of, and Laws relating to,	70
A Warrant empowering a Game-keeper,	62
Warrant for Deer, to be executed annually,	112
A Warrant for killing a Brace of Bucks,	113

F I N I S.

